

Plaintiff's Name Dewayne Thompson

Inmate No. T12115

Address P.O. Box 290066

Represca, Ca 95671

FILED

OCT 03 2023

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY

DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

Dewayne Thompson

(Name of Plaintiff)

1:22-cv-01545 HBK(PCL)

(Case Number)

vs.

L. Addison, Corr. CNA

A. Lopez, Corr. Off.

J. Rocha, Corr. Off.

AMENDED CIVIL RIGHTS COMPLAINT UNDER:

☒ 42 U.S.C. 1983 (State Prisoner)

☐ Bivens Action [403 U.S. 388 (1971)] (Federal Prisoner)

(Names of all Defendants)

RECEIVED

OCT 03 2023

I. Previous Lawsuits (list all other previous or pending lawsuits on additional page):

A. Have you brought any other lawsuits while a prisoner? Yes ☒ No ☐ BY [Signature]

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
DEPUTY CLERK

B. If your answer to A is yes, how many? about 8

Describe previous or pending lawsuits in the space below. (If more than one, attach additional page to continue outlining all lawsuits in same format.)

1. Parties to this previous lawsuit:

Plaintiff D. Thompson

Defendants W. Hill

2. Court (if Federal Court, give name of District; if State Court, give name of County)

U.S. Eastern District Court of California

3. Docket Number 1:24-cv-05877 ALW

4. Assigned Judge Antony W. AWI Ishii

5. Disposition (Was the case dismissed? Appealed? Is it still pending?)

Dismissed

See 1a Previous lawsuits

The Defendants are permissably joined pursuant to FRCP 18(a) and 20(a)(2) for multiple claims are against a single well as multiple Defendants who Plaintiff is seeking relief from jointly and/or severly or alternatively from a series of occurrences whereby facts and law common to Defendant arises in all eight claims herein.

C. PREVIOUS LAWSUITS(CONTINUED)

4.) D. Thompson v M.P. Hernandez
case no. 1:13-cv-00625 AWI(BAM)PC
results: Dismissed, favorable termination(Heck Bar)

5.)D. Thompson v T. Adams
case no. forgot
results: settled 5,000

6.) D. Thompson v J. Ferrso
case no. 2:20-cv-08241 SVW(KS)
Results: pending

7.) D. Thompson v Nawaz
case no. 2:20-cv- 10448 SVW(SK)
results: dismissed

8.) D. Thompson v Covarrubias
case no. 2:22-cv-02106 SVW(KS)
results: dismissed w/out prejudice

1.) D.Thompson v. C. mauck
Case no. 2:09-cv-03478 JAM-cmk
Results: Settled 3,000

3.) D.Thompson v. D.W. Bradburry
Case no. PR-LV-14-1988(WHO)
Results Dismissed

II. Exhaustion of Administrative Remedies

NOTICE: Pursuant to the Prison Litigation Reform Act of 1995, "[n]o action shall be brought with respect to prison conditions under [42 U.S.C. § 1983], or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." 42 U.S.C. § 1997e(a). Prior to filing suit, inmates are required to exhaust the available administrative remedy process, *Jones v. Bock*, 549 U.S. 199, 211, 127 S.Ct. 910, 918-19 (2007); *McKinney v. Carey*, 311 F.3d 1198, 1999 (9th Cir. 2002), and neither futility nor the unavailability of money damages will excuse the failure to exhaust, *Porter v. Nussle*, 534 U.S. 516, 524, 122 S.Ct. 983, 988 (2002). If the court determines that an inmate failed to exhaust prior to filing suit, the unexhausted claims will be dismissed, without prejudice. *Jones*, 549 U.S. at 223-24, 127 S.Ct. at 925-26.

A. Is there an inmate appeal or administrative remedy process available at your institution?

Yes ☒ No ☐

B. Have you filed an appeal or grievance concerning ALL of the facts contained in this complaint?

Yes ☒ No ☐

C. Is the process completed?

Yes ☒

If your answer is yes, briefly explain what happened at each level.

Arbitrary, bias findings denying staff misconduct as a cover up and defense mechanism

No ☐

If your answer is no, explain why not.

III. Defendants

List each defendant's full name, official position, and place of employment and address in the spaces below. If you need additional space please provide the same information for any additional defendants on separate sheet of paper.

A. Name L. Addison is employed as Certified Nurse Assistant

Current Address/Place of Employment 4601 King Ave, Corcoran, CA 93212

Sued in individual capacity

B. Name A. Lopez is employed as Correctional Officer
Sued in individual capacity
 Current Address/Place of Employment 4001 King Ave, Corcoran, Ca 93212

C. Name J. Rocha is employed as Correctional Officer
Sued in individual capacity
 Current Address/Place of Employment 4001 King Ave, Corcoran, Ca 93212

D. Name _____ is employed as _____
 Current Address/Place of Employment _____

E. Name _____ is employed as _____
 Current Address/Place of Employment _____

IV. Causes of Action (You may attach additional pages alleging other causes of action and the facts supporting them if necessary. Must be in same format outlined below.)

Claim 1: The following civil right has been violated (e.g. right to medical care, access to courts, due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.):

Defendant Addison retaliated against Plaintiff in violation of his U.S. First Amendment by falsifying rule violation report (RVR) of indecent exposure (IE) "But For" him exercising his First Amendment protected right and language (see Appendix A, exhausted remedy).

Supporting Facts (Include all facts you consider important to Claim 1. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Claim 1.):

Defendant L. Addison, Certified Nurse Assistant (CNA) violated Plaintiff's U.S. First Amendment by falsifying rules violation report (RVR) that Plaintiff indecent exposed himself to her in retaliation for Plaintiff exercising his protected right to redress her misconduct under color of State law or utilizing protected language. Hence, Plaintiff is duly pleading that on June 30, 2022, Defendant Addison retaliated against him by 1.) being a State actor who took adverse action against him 2.) But For 3.) his exercising his protected right to redress her misconduct 4.) her adverse action would chill an ordinary person of firmness and 5.) her adverse action did not further legitimate correctional goal. On June 30, 2022, Plaintiff was in crisis bed at CSP-Corcoran. CNA Alapisco was primarily assigned as the CNA to sit at Plaintiff's cell-front for 1 on 1 observation. During which Plaintiff being an exercise fanatic to alleviate stress and anxiety (inter alia) he sought approval from Alapisco to partially cover cell front window with yellow placard. CNA Nelson provided him with the day prior for privacy, which also served as a legitimate window cover. Since window covered with paper is unallowed, Alapisco consented to Plaintiff request and knew that he would remove his smock to exercise and bird bath. Before peering into cell (see attachment 3(a))

Alapisco would knock on cell front door. And once safe to observe in cell she would with no incident. (See appendix B, disciplinary hearing results(DHR) and supplemental RVR, pg. 4-5, Alapisco and Psychologist Houston Q and A's knock and observation standard with inmate patients with cell front window partially covered.)

Nevertheless, upon Defendant Addison relieving Alapisco for a short break, privacy for Plaintiff went awry: Addison with no precautionary measures towards Plaintiff cell front window being partially covered, inferring for privacy, "lifted herself up high enough[sic] to look over window cover " (or placard Plaintiff allowed CNA Nelson to place on his cell front window the day prior for privacy while Plaintiff exercised and bird bathed) absent of knocking, as she should have done. (See appendix B, pg 4 and 6 Psychologist Houston Q&A, no 1-2.)

Addison unbothered or offended saw Plaintiff bird bathing naked. She simply asked him if he was alright while looking at his naked body; wherefore, upset Plaintiff coupled with incident a day prior, June 29,2022, when she laughed at a ridiculing comment of his genital size by CNA Nelson who is the opposite sex who invaded Plaintiff's bodily privacy by intentionally, frequently, non- casually with no restriction and in close range watched Plaintiff exercise naked amiss of cell front window after giving him expectation of privacy by placing yellow placard on Plaintiff's cell front window, which he allowed for it being harmless and in an isolated area in infirmary (not to contradict pleads in claim II) under impression she would knock before looking in cell.

Ensuing, Plaintiff beelined to his cell front window after covering himself in his smock and he aggressively (as she states in her RVR at appendix C) demanded for her to have courtesy and knock before looking in his cell while window cover was up.

Undergoing Addison's unprofessional conduct the day prior for her laughing at the joke by Nelson in reference to his genital size as she called him "Little Man" coupled with her invading his bodily privacy and for Plaintiff's protection not to be charged with indecent exposure, Plaintiff vented to Addison protected language of him going to write her up for her misconduct. In response, Addison unbelievably said "Two can play that game," and instantly reported to officials nearby that Plaintiff exposed himself to her. Her lie was so spontaneous, she could not get it straight:

That is initially Addison alleged of having direct observation into Plaintiff's cell on June 30,2022 with no placard or window cover partially covering his cell-front window when she saw him exposing himself(see appendix B, Addison's Q&A, no 1-6 in DHR and RVR supplement pg. 4-5).

Nevertheless, she changed her allegations to Plaintiff having Placard on his cell front window that she looked over after "Lifting herself up high enough " and saw him exposing himself (see appendix C, amended RVR and appendix D, Addison original accounts dictated by Sgt. Ortega and Lt. Staley).

Upon information and belief, Addison changed her allegations because video footage where incident occurred contradicted her accounts that Plaintiff insist is false.

Do to Plaintiff suffering from Addison retaliatory False RVR, Plaintiff regrets grieving and/or using protected language of grieving her adverse action, which would have chilled an ordinary person of firmness for Plaintiff 1.) had yellow placard fixed to his cell-front window for 90 days in punitive segregation, which identified him as sex offender; wherefore, subjected him to death threats and/or threats of physical bodily harm by his neighbors Dominguez and Flores, among other inmates, and inmate Cardero, who are known dangerous and violent inmates, 2.) deprivation of exercise yard (), 3.) discrimination by Hispanic Administrative segregation (Ad seg) officials (see infra claim IV)retaliation and conspiracy ()

Lastly, Addison's adverse action did not further legitimate correctional goals. Rather, it conducted to Plaintiff being stressed, depressed and engage in self injurious behavior (SIB) by hunger striking (see appendix E, mental health records).

In addition, Plaintiff was deprived his liberty interest during hearing to prove his innocence and charges being false, which resulted in rehearing that has yet occurred upon filing this complaint December 2, 2022.

Claim 2: The following civil right has been violated (e.g. right to medical care, access to courts, due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.):

Eighth Amendment, Deliberate Indifference: Addison's retaliatory, falsified RvR for IEX identified Plaintiff as sex offender, culminating to deliberate indifference for him being attacked and seriously threatened with future harm by known violent inmates

Supporting Facts (Include all facts you consider important to Claim 2. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Claim 2.):

Applicable Law

The two prong deliberate indifferent standard is satisfied when prison staff (objectively) know of harm and (subjectively) consciously disregard excessive risk of harm to an inmates health and safety that results in wanton infliction of unnecessary pain or further damage (Farmer v. Brennan 511 U.S. 825, 835, 114 S.Ct. 1970). Plaintiff only need to allege he faced substantial harm to his safety for threats by an inmate who has a history of violence (see e.g., Hammler v. Hernandez 2019, U.S. Dist. LEXIS 93530) Potential attacks from other inmate with history of violence may constitute a substantial risk of harm (e.g., Helling v. McKinney 509 U.S. 25, 33, 113 S.Ct. 2475... (1993))

The U.S. Supreme Court has held in Farmer, supra, that a Prisoner need not wait until a tragic event, such as actual assault, to state 8th Amendment deliberate indifference, so long as threat is probable in the future," see Helling, supra. Subjective

element of the 8th Amendment is sufficiently alleged when prison officials falsely accused an inmate of indecent exposure that would label him as sex offender and get him hurt (see *Morris v. Burrkhouse* 2021 U.S. Dist. LEXIS 99873). Inmate attacked with urine for being falsely identified as Snitch - stated 8th Amendment violation (see *Timberlan VS. Mascarenas* 2018 U.S. Dist. LEXIS 154059)

Contention

Plaintiff is Pleading that Defendant Addison acted with deliberate indifference for she knew Yellow Placard on Plaintiff's cell front window would classify him as a sex offender and get him hurt.¹¹ For when Plaintiff asked her through senior hearing officer (SHO) D.B. Hernandez at his disciplinary hearing on August 5, 2022, "Whether she knew what Yellow Placard on cell front window represent." She surprisingly stated "the inmate is a sex offender," which she objectively knew would be harmful to Plaintiff (see footnote). However, the SHO being bias failed to report her answer (See Appendix B, disciplinary hearing results (DHR) Addison Q and A, PG 3 (5 of 12) no. 8).

As a result of Addison retaliatory, falsified RVR for IEX against Plaintiff, Plaintiff permanently had Placard fixed to his cell front window for 90 days, labeling him as sex offender in the Ad-seg' population among the most dangerous, gangmembers, inmates. Therefore, Plaintiff instantly began receiving death and great bodily harm threats through the vent by inmates Cardero who was in cell 224, 3A03 while Plaintiff was in cell 125 below him.

Cardero is a known violent inmate who is a registered notorious

- 1.) Although Plaintiff allowed Yellow Placard on his cell front window while in crisis bed, during 1 on 1, Addison knew it was temporary and only for privacy as Addison witnessed the day prior June 29, 2022, her co-worker Nelson applying to his cell window for privacy, and Plaintiff let them know he was playing with his life, by having Placard on window. But it was harmless because he was in an isolated location in crisis bed.... (objective element).

Prison and street gang member, which Plaintiff is afraid to mention in complaint for the harm of mentioning such gang in paper work can bring harm per se. Cardero was in Ad-seg for stabbing inmates and knives, which Plaintiff could hear him randomly sharpening on the floor of his cell above Plaintiff's cell.

Plaintiff eventually moved to cell 202, next to Dominguez and Flores, in cell 201, who are known violent inmates and registered members of notorious Prison and street gang, and who were in Ad-seg for stabbing Police (officers), inmates and knife possession.

While Plaintiff was housed next to them with yellow placard on his cell front window, they made convincing, promising threats, therefore, to slice Plaintiff's face and stab him first chance they get, simultaneously a knife sharpening sound was conveyed through vent along with their non-idle threats for Plaintiff knows they'll try and carry out threat when encountering one of them or someone in their gang doing their bidding outside of Ad-seg.

Due to Dominguez and Flores threats (sic) and chaos through the vent, Plaintiff began having an anxiety attack and contemplated self harm due to their psychological torment and averseness that caused Plaintiff to stress and deprived of sleep. Therefore, Plaintiff underwent multiple suicidal evaluations that concluded to him being moved to cell 242. However, it was next to shower where Cardero showered. Resulting, Cardero attacked Plaintiff with bio-waste (urine), by filling the bucket he used to clean shower with urine and water and he intentionally flooded the tier causing Plaintiff cell to be flooded with urinated water simultaneously with him calling Plaintiff snitch and sex offender, as he reiterated promising, convincing threats to stab Plaintiff upon opportunity (see Appendix 5, Springs declaration).

Plaintiff has grieved this matter to make record of inmates being his

enemy (See Appendixs N and S, Grievances for Protection). However, officials has failed to take necessary steps to protect me from inmates in future by prohibiting Plaintiff and them from residing on same facility.

Nevertheless, by Dominguez, Flores, and Cardero being part of notorious Prison gang that Plaintiff is in awe of he can be attacked indirectly by someone in their Prison gang doing their bidding. Plaintiff is in fear each day for his safety due to the promising threats by these violent inmates and their gang well as the other inmates in Ad-seg' who witnessed Yellow Placard on Plaintiff's cell front window and who disapprove sex offender behavior; wherefore, they will likely attack Plaintiff with knife or weapon once recognizing him out of Ad-seg'

Claim 3

U.S. First Amendment violation: Defendant Lopez along with officer Rocha systematically retaliated against Plaintiff by conducting Punative Cell Search "But For" Plaintiff grieving Lopez's deceptive misconduct in disciplinary hearing for retaliatory falsified RVR for indecent exposure IEX by Defendant Addison (Administrative remedies are exhausted, (see Appendix K, et-seq., pg 3))

Hereby Claims are transactionally related to Claim 1 herein Complaint and qualify for claim joinder Pursuant to Fed. R. Civ. P. § 18(a), otherwise claim will be barred per res judicata. (Plaintiff realleges and incorporates by reference Claim 1 herein Second Amended Complaint (SAC))

After Defendant Addison drafted retaliatory, falsified RVR of IEX against Plaintiff on June 30, 2022, the disciplinary hearing therefore occurred August 5, 2022; however, by Plaintiff being a participant in the mental health service delivery system (MHSDS) at the enhanced outpatient (EOP) level of care, Defendant Lopez, pertinent to liberty interest, was assigned Plaintiff's staff assistant (S.A.) to help him prepare at least 24 hours to disciplinary hearing.

Nevertheless, Lopez derelicted to do so, or meet with Plaintiff, as he remained anonymous of being Plaintiff's S.A.; wherefore, he would deny until hearing commenced and Lopez appeared on behalf of Plaintiff only for foremost liberty interest, procedural safeguard requisite.

Conflict arose for in order for disciplinary hearing to commence on August 25, 2022, Lopez had to have met with Plaintiff 24 hours prior to hearing; therefore, Lopez instantly lied of doing so¹, thus, causing Plaintiff to instantly vent and forewarn of writing him up and filing law-

1) The second prong that makes retaliatory, falsified RVR cognizable on ... 1983 is when Plaintiff is denied due process right to defend against charges (see e.g., *Mills v. Clarke*, 2023, U.S. Dist. LEXIS 71012)

suit against (sic) him for his deceptive misconduct that violated Plaintiff's due Process. Therefore, guilty adjudication was vacated (see Appendix P and Q, et seq, administrative grievances and disciplinary decision) and reissued and reheard which until to date is in limbo and officials are avoiding to hear despite Plaintiff filing grievance therefor.

Due to Lopez's unscrupulous misconduct in disciplinary hearing, Plaintiff, aggrieved, persisted in venting to Lopez of writing him up and forewarning of lawsuit. To which, Lopez threatened Plaintiff with an RVR for threatening staff (him). However, when he could not do so, on August 26, 2022, when Plaintiff was denied outside walk alone (cage) yard due to all cages being reserved for inmates on yard list, Lopez along with officer Rocha conducted a punitive, retaliatory cell search on Plaintiff's cell after removing him from cell due to anxiety attack causing him to have chest pains and thoughts of self harm (generally identified as suicidal ideation) ascribed to yard deprivation, which was an ongoing problem that Plaintiff was also grieving that Defendants Lopez and Rocha knew of and also resented Plaintiff therefor.

Defendants without furthering correctional goal vandalized Plaintiff's cell ¹⁾ disposing of and disorganizing legal material and this instant original pre made complaint form Plaintiff was preparing for filing, ²⁾ throwing away his breakfast and lunch they served him during cell feeding, causing Plaintiff to be hungry that day, ³⁾ confiscated coaxial cable to television, which prevented him from watching for lack of reception and ⁴⁾ they confiscated other non-contraband miscellaneous personal items for no other reason "But for" to silence Plaintiff for exercising his protected right, which would have silenced a person of ordinary firmness (see e.g., *Porteous v. Avilla*, 2023, U.S. Dist. LEXIS 55936, citation omitted). (see Appendix T witness A.R. Jeter declaration.)

To be vindictive, Defendant Lopez making something from nothing, confiscated harmless, unweaponized state disposable shaving razor "with guard"

that is commonly available to inmates by officials in and out of Ad'seg' and not clearly or specifically in any rule and regulations of California Department of Corrections or Law of being a weapon absent Prima facie of it being made into weapon or used as a weapon or razor without guard. However Lopez drafted Plaintiff an RVR for being in possession of deadly weapon, which is an A1 ultimate infraction with the most severe punishment that is in the category with murderers (See Appendix J RVR by Lopez)

Infraction was referred to district attorney (D.A.) for felony prosecution. And Plaintiff was retained in punitive segregation pending adjudication of RVR, which carries a five month seventeen stay in security housing unit (SHU) or long term (continued on next page 5c)

restricted housing (LTRH), which Plaintiff served in punitive segregation pending D.A. referral decision, which is in limbo to date upon filing this amended complaint well as RVR that is still pending, feasibly to be dismissed or mitigated for charges being exaggerated demurer. (See appendix J, RVR.)

Lopez also confiscated Tylenol pills from Plaintiff's cell, which he contemplated exaggerating to punish Plaintiff in retaliation as he told Plaintiff with vindictive joy that he should write Plaintiff up for pills to have him admitted in crisis bed, which under circumstances is an automatic admission for eight to ten days.

On Defendants body worn camera (BWC), they sarcastically and pretentiously demonstrate their (retaliatory) intent for searching Plaintiff cell, in a nutshell to the effect, Lopez stated, in speaking for him and Rocha, "We searched your cell for your and ours[sic] protection since you like to file grievances and lawsuits" (among other unnecessary comments of Plaintiff exercising his first Amendment.

Indeed cell search by Defendants was not random but planned to retaliate and harass Plaintiff for incident would not have occurred if 1.) Plaintiff had not been grieving, verbally or written, about outdoors exercise yard deprivation well as Lopez violating his due process in disciplinary hearing for IEX alleged by Defendant Addison, 2.) had he not sought mental health and medical care due to exercise yard deprivation and 3.) among other things being African American (see infra, claim IV).

B.) Then on September 2, 2022, approximately between 9AM-12:20PM on Rocha's BWC and 3A03, A-section avss(AVSS) while Plaintiff was attending structured group therapy for his mental health treatment, Defendant Rocha, campaign harassing, retaliated against Plaintiff based on chronology of events, facts and inferences by conducting another punitive cell search (Within a Week of previous one August 26, 2022) and sadistically confiscated state issued radio another officer provided Plaintiff for entertainment due to Plaintiff being EOP level of care in mental Health...system, entailing him to have a TV or radio in his cell. And Plaintiff's inability to watch his television post initial punitive cell search for Defendants confiscating coaxial cable to his television; thus, thwarting reception.

Rocha being insidious left no cell search receipt for the radio the confiscated from Plaintiff's cell as he should have pursuant to CCR, Title 15 § 3287(a)(4). And he blatantly denied such act. But after canvassing Defendant E. Olivias on September 28, 2022, he confirmed on his BWC at about 9:45AM that Rocha was the officer who entered Plaintiff's cell and confiscated radio September 2, 2022.

Therefore, correlating to him being culprit as well to planting state razor in Plaintiff's cell, after Lopez charged Plaintiff with state issued disposable razor being a deadly weapon, that Plaintiff discovered after noticing state radio mysteriously missing. Plaintiff instantly turned state razor over to Sgt. Garcia upon discovering it on September 2, 2022(see appendix L, grievance).

Defendants adverse action out of retaliation for Plaintiff exercising his First Amendment (to access grievance system); his Eighth Amendment (to access medical and mental health) and fourteenth (to a fair hearing) did not further legitimate correctional goals and it has conducted to discouraging (silencing) Plaintiff to exercise his constitutional protected right for the ramifications are getting to be too much of a hardship.

CLAIM IV DISCRIMINATION

U.S FOURTEENTH AMENDMENT CONSTITUTION (ADMINISTRATIVE REMEDIES ARE EXHAUSTED, APPENDIX L and M, grievance) (Discrimination by Defendants A. Lopez and Rocha)

Plaintiff is duly declaring, based on chronology of events, facts and inferences for his being African American, Defendants invidiously discriminated against him in addition to retaliating by conducting punitive cell searches and drafting exaggerated rule violation report (RVR) towards African Americans, which subjected Plaintiff to dissimilar treatment by Defendants in comparison to Hispanic inmates who they treated preferentially. (That is Defendant A. Lopez and J. Rocha.)

Saying that, Plaintiff insist that Defendants did not routinely conduct systematic, random cell searches. They only searched cells of invidious inmates, of whom uncoincidentally just so happen to be African American (Black) that aggrieved them when writing them up or opposing their unruly act. Therefore, punitive cell search and exaggerated RVR drafted by Lopez charging Plaintiff with disposable state razor as a weapon (well as Plaintiff never received any rules identifying state razor commonly available as a deadly weapon) plausibly occurred for Defendants invidious discrimination towards Plaintiff due to his being African American.

For example, Defendants knew Plaintiff's neighbors Dominquez and Flores in 3a-03, 201 EOP hub well as Alberto Cardero (who was in cell 224 at time mentioned herein) who are Hispanic inmates, had knives and state razors, which they were getting by officials during showers, as Plaintiff was getting also, in their cells. And they committed serious rule violations that Defendants witnessed. Nevertheless, Defendants never drafted an RVR for their serious infraction or conducted so much as a random, scour, cell search on their cell when they had just cause and reasonable suspicion to do so.

Hence, e.g., on September 2, 2022, Plaintiff Hispanic neighbors Dominquez and Flores intentionally shattered their cell-front window after a disagreement between them and another officer, Defendants witnessed shattered window but stayed dormant insofar as they did not move inmates from cell, despite it being deemed a hazard and shall have been redlined (condemned) for staff security responsibility protocol or searched for reasonable suspicion to confiscate item used to shatter window, which Plaintiff insist was the undisputable sound of apparent contraband metal that they did not try and hide, as they would drop metal on ground to let Plaintiff know according to his belief that they had metal knives, which they used on multiple occasions to bang on steel door when hostile towards officials, which attracted Officer(s) Garcia's attention on September 11, 2022, around 8:45PM on his BWC; thus, causing him to key in to the eerie contraband metal on steel door banging sound, but he did nothing.

Rocha and Lopez witnessed shattered cell-front window of Flores and Dominquez and only laughed and joked about it, as they asked them, " Damn, who made you mad." (see Lopez and Rocha body worn camera [BWC] September 2, 2022. Defendants did not draft them RVR, despite them boldly admitting to Defendants of shattering cell front window; nevertheless, had that been Plaintiff they would have definitely been excited to write him an RVR for destruction of state property and charged him about \$200., the value of cell front window.

However, same day, September 2, 2022, between 9AM-12:30PM when Plaintiff was at therapy group, Defendant Rocha insidiously entered Plaintiff's cell and confiscated state issued radio and during which connect him to state razor planted in Plaintiff's cell post Defendant Lopez drafting RVR for Plaintiff possessing unweaponized

state razor, which he charged Plaintiff with possessing deadly weapon (see claim III for further detail).

Plaintiff is sure Dominquez and Flores was not written up, foremost, by Defendants for shattering cell-front window who had a proclivity to draft RVR's against Blacks, such as Plaintiff, for their infraction. And they had duty to draft RVR upon becoming aware of infraction, but they did not, for upon facts and inferences due to being discriminative.

Plaintiff is assured Defendants derelicted to draft Dominquez and Flores an RVR for preferential treatment for 1.) when Dominquez and Flores tormented Plaintiff through vent (inter alia) for getting RVR and D.A. referral for a simple unweaponized state razor as a deadly weapon, they proudly boasted and said with pride that officers work for them; they don't mess with them, even though they know they're dirty (illegal); foremost, they let it be known that they can bust out their cell window and not get a write up, as they taunted Plaintiff of willing to bet him that he cannot do the same thing wherefore, they mentioned Brown pride, and 2.)

Upon Dominquez and Flores getting window repaired, Plaintiff heard Lopez joke with them at their cell front of them "getting a pass" that time. The next time it is going to cost them \$200 and a write up (RVR), which angered Plaintiff to call him a racist. For which Plaintiff grieved their discrimination (see appendix L and M, grievance on file).

Moreso, Lopez and Rocha knew Dominquez and Flores well as Alberto Cardero (misspelled Cardova), cell 224 at time mentioned herein, among other Hispanic inmates had in their cells manufactured knives and state razors that they were getting during shower by officials, as Plaintiff was getting, but was written up by Lopez (emphasis added), for Plaintiff, aggrieved by Defendants apparent intentional discrimination brought it to their attention only to be ignored.

Plaintiff knew Dominquez, Flores, and Cardero had dangerous contraband for hearing them sharpening their manufactured knives and banging state razors against sink in their cell while shaving with them when he was in cell 125 and Cardero was upstairs in cell 224, just above Plaintiff, and when Plaintiff was in cell 202 and Dominquez and Flores was his neighbors in cell 201.

However, Plaintiff's notice was disregarded (see appendix L and M, grievance advising officials of aforementioned inmates threat to safety and security and disparity treatment. Disregards was due to preferential treatment Rocha and Lopez demonstrated towards Hispanic inmates; whereas, with Blacks, they treated dissimilar but unpreferential, which subjected Plaintiff, who is Black, to punitive, retaliatory cell search and exaggerated RVR of his possessing an unweaponized state razor as a deadly weapon.

Hereby Claim qualify as Proper Joinder Pursuant to Fed. R. Civ. P. 8(d)(3), 18(a) that requires all inconsistent or independent claim to be joined against properly joined parties, otherwise will be barred by res judicata for claim derive from facts and law common to Defendants. That is Defendant Addison retaliation, Claim 1.

V. Relief

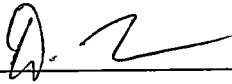
State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Declaratory relief ; 2.) Compensatory damages jointly or severly against each
Defendant in the sum of \$ 20,000 for their retaliatory discriminative misconduct and
due Process Violation 3.) nominal damages in the sum of .01\$ jointly or severly again-
st each defendant 4.) Punative damages jointly and severly against each defen-
dant in the sum of \$20,000 5.) Demand for jury trial and 6.) Any other relief found
suitable.

I declare under penalty of perjury that the foregoing is true and correct.

Date: September 25, 2023

Signature of Plaintiff: _____



Dewayne Thompson, T12115
P.O. Box 290066
RePreso, CA 95671

United States District Court
Eastern District of California

Dewayne Thompson
Plaintiff

VS.

L. Addison, Corr. CNA et al
Defendant(s)

Case no. 1:22-cv-01545 HBK(PC)

Notice of Submission of Voluminous, Indexed
Appendix/Exhibits as Part of Pleadings
Pursuant to Fed. R. Civ. P. § 10(c)

Plaintiff, Prose, submits with Pleading _____ Pages of Voluminous
appendix/exhibits to second amended Complaint (SAC) that are part of
Pleadings by reference therein Pursuant to Fed. R. Civ. P. § 10(c).

Date September 25, 2023

Respectfully Submitted

BY/s/



Dewayne Thompson
Prose

Dewayne Thompson, T12115
P.O. Box 3461 (4001 King Ave)
Corcoran, CA 93212
In Pro Se

Re: Thompson v. Addison, et al
Case no: 122-CV-01545 HBK(PC)

Appendix Indexed

- A.) Healthcare Grievance regarding Defendants Addison and T. Nelson invasion of bodily Privacy and retaliation
- B.) Disciplinary Hearing Results (DHR) for IEX RVR by Defendant L. Addison. DHR discloses Questions and answers by Addison, Alapisco, and Psychologist Houston; Whereof, supports Plaintiff claims of Addison intruding on his Privacy, falsifying RVR that Plaintiff committed IEX infraction, and Deliberate indifference by falsified RVR.
- C.) Defendant Addison Amended RVR
- D.) Defendant Addison Original accounts of IEX RVR redacted by Sgt. Ortega and Lt. Staley
- E.) Mental Health records, hunger strike, stress and depression from false IEX RVR
- F.) ~~Disciplinary Appeal RVR by officer Barrios J. for Plaintiff allegedly delaying his duty in investigating Plaintiff's sexual assault allegations against Defendant Rocha.~~
- G.) Cell Search receipt by J. Rocha and A. Lopez, Punative cell search
- H.) ~~Mental Health records, hunger strike, stress and depression for exercise yard deprivation~~
- I.) ~~Deprivation, exercise yard grievance~~
- J.) RVR by A. Lopez charging Plaintiff with possession of deadly weapon for having unaltered, unweaponized disposable state razor
- K.) Punative cell search grievance
- L.) Staff misconduct grievance regarding Confiscation of state radio loaned to Plaintiff after Defendant took coaxial cable to TV preventing him from watching it and official Planting Razor in Plaintiff's cell after Lopez wrote him up for razor being deadly weapon.

RE: Thompson V. Addison, et al

Case no. _____

Appendix (Continued)

N.) Deliberate Indifference Grievance for Sgt. E Garcia

M.) Racial discrimination Grievance by officer J. Rocha and A. Lopez

Q.) Retaliation, Discrimination, and Conspiracy Grievance for Defendant R. Rocha

P.) Grievance for Defendant Lopez's misconduct in disciplinary hearing for IEX alleged by Defendant Addison

Q.) Granted Grievance for rehearing due to Lopez misconduct in disciplinary hearing for IEX alleged by Defendant Addison.

~~R.) Grievance for Lopez's misconduct in disciplinary hearing Defendant J. Barrios covering up Plaintiff's Sexual assault allegations~~

S.) Declaration by witness Isaiah Springs attesting to harm of Plaintiff by Yellow Placard identifying him as sex offender

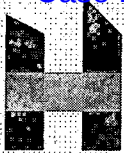
T.) Witness A.R. Jeter's Declaration

Appendix A

Health Care Grievance

- 1.) PREA Allegations against Defendant
— Nelson
- 2.) Addison's retaliation RVR

9 pages



CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES



Institutional Level Response

Closing Date: SEP 20 2022
To: THOMPSON, DEWAYNE (T12115)
S INFC1011001LP
California State Prison – Corcoran
P.O. Box 8800
Corcoran, CA 93212-8309

Tracking # COR SC 22000085

RULES AND REGULATIONS

The rules governing these issues are: California Code of Regulations, Title 15; Health Care Department Operations Manual; Mental Health Services Delivery System Program Guide; California Department of Corrections and Rehabilitation Department Operations Manual.

HEALTH CARE GRIEVANCE SUMMARY

Refer to the attached CDCR 602 HC, Health Care Grievance, in which you explained the decision, action, condition, omission, policy, or regulation that has had a material adverse effect upon your health or welfare for which you seek administrative remedy.

The reviewing authority completed a review of the allegation of staff misconduct presented in the attached CDCR 602 HC, Health Care Grievance, and categorized your health care grievance as a staff complaint. Your health care grievance was referred for a confidential inquiry to address the allegation of staff misconduct.

GRIEVANT INTERVIEW

On September 13, 2022, you were interviewed by W. Doering, Supervising Registered Nurse II. Interviewer asked you if you had submitted the Health Care 602, to which you stated, "Yes." Interviewer asked you if you would like to add anything to your submitted Health Care 602, to which you stated you did not. Interviewer asked you if there were any witnesses to the alleged incident, to which you stated you did not think so.

WITNESS INTERVIEW(S)

☒ No witnesses were interviewed.

☐ The following witnesses were interviewed: [first initial(s) last name(s), title(s) if applicable].

The following witnesses were not interviewed: J. Zapata, Correctional Officer was unable to be interviewed due to being on leave.

SUBJECT OF THE STAFF COMPLAINT INTERVIEW

L. Addison, Certified Nursing Assistant was interviewed.

Note 1: The institutional level review is based on records available as of the date the Institutional Level Response is signed by the reviewing authority.

Note 2: The closing date reflects the closed, mailed/delivered date of the health care grievance.

Note 3: Permanent health care grievance document. Do not remove from the health care grievance package.

INSTITUTIONAL LEVEL DISPOSITION

No intervention, as the confidential inquiry is complete and all issues were adequately addressed.

BASIS FOR INSTITUTIONAL LEVEL DISPOSITION

Your health care grievance package and health record and all pertinent departmental policies and procedures were reviewed.

With respect to one or more of the issues grieved, it has been concluded that staff:

☒ did not violate California Department of Corrections and Rehabilitation policy.

☐ violated California Department of Corrections and Rehabilitation policy.

Due to the nature of your allegations, your health care grievance was referred for review per Prison Rape Elimination Act guidelines; however, your allegations were deemed not to meet the criteria for a Prison Rape Elimination Act investigation.

Complaints against staff are taken seriously and all efforts are made to ensure these matters are thoroughly researched and responded to in accordance with governing laws, rules, and policies. Any report generated or action taken is confidential and will not be released to inmates under any circumstances.

If you have health care needs, you may access health care services by utilizing approved processes in accordance with California Correctional Health Care Services policy.

If you are dissatisfied with the Institutional Level Response, follow the instructions on the CDCR 602 HC, Health Care Grievance, and submit the entire health care grievance package for headquarters' level review. The headquarters' level review constitutes the final disposition on your health care grievance and exhausts your administrative remedies.

Note 1: The institutional level review is based on records available as of the date the Institutional Level Response is signed by the reviewing authority.

Note 2: The closing date reflects the closed, mailed/delivered date of the health care grievance.

Note 3: Permanent health care grievance document. Do not remove from the health care grievance package.

W. Doering SRN

Interviewer

W. Doering

Supervising Registered Nurse II

California State Prison – Corcoran

9.20.2022

Reviewed and Signed Date

Mich @ CEO, CSE (A)

Reviewing Authority

E. McDaniel

Chief Executive Officer (A)

California State Prison – Corcoran

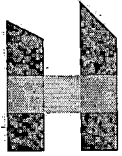
9/20/22

Reviewed and Signed Date

Note 1: The institutional level review is based on records available as of the date the Institutional Level Response is signed by the reviewing authority.

Note 2: The closing date reflects the closed, mailed/delivered date of the health care grievance.

Note 3: Permanent health care grievance document. Do not remove from the health care grievance package.



CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES



Headquarters' Level Response

Closing Date: **DEC 15 2022**

To: THOMPSON, DEWAYNE (T12115)
California State Prison – Corcoran
P.O. Box 8800
Corcoran, CA 93212-8309

From: California Correctional Health Care Services
Health Care Correspondence and Appeals Branch
P.O. Box 588500
Elk Grove, CA 95758

Tracking #: COR SC 22000085

RULES AND REGULATIONS

The rules governing these issues are: California Code of Regulations, Title 15; Health Care Department Operations Manual; Mental Health Services Delivery System Program Guide; California Department of Corrections and Rehabilitation Department Operations Manual.

HEALTH CARE GRIEVANCE SUMMARY

Refer to the attached CDCR 602 HC, Health Care Grievance, in which you explained the decision, action, condition, omission, policy, or regulation that has had a material adverse effect upon your health or welfare for which you seek administrative remedy.

The institutional level reviewing authority categorized your health care grievance as a staff complaint and referred your health care grievance for a confidential inquiry to address the allegation of staff misconduct.

HEADQUARTERS' LEVEL DISPOSITION

☒ No intervention. ☐ Intervention.

BASIS FOR HEADQUARTERS' LEVEL DISPOSITION

Your health care grievance package and health record, the supervisor's Confidential Inquiry Report, and all pertinent departmental policies and procedures were reviewed. Records indicate the content of the Confidential Inquiry Report supported the conclusion that staff did not violate California Department of Corrections and Rehabilitation policy.

Complaints against staff are taken seriously and all efforts are made to ensure these matters are thoroughly researched and responded to in accordance with governing laws, rules, and policies. Any report generated or action taken is confidential and will not be released to inmates under any circumstances. You have been provided all information to which you have a right under California Code of Regulations, Title 15, Section 3999.231.

Note 1: The headquarters' level review is based on records available as of the date the Headquarters' Level Response is signed by the reviewing authority.

Note 2: The closing date reflects the closed, mailed/delivered date of the health care grievance.

CALIFORNIA CORRECTIONAL
HEALTH CARE SERVICES

P.O. Box 588500
Elk Grove, CA 95758

Per California Code of Regulations, Title 15, Section 3999.227(e), "The grievant is limited to one issue or set of issues related to a single health care discipline that can reasonably be addressed in a single health care grievance response." As such, this response will only address your allegations against L. Addison, Certified Nursing Assistant (CNA). Your allegations against T. Nelson, CNA, are being addressed in health care staff complaint tracking number COR SC 22000086.

Per California Code of Regulations, Title 15, Section 3004(a), "Inmates and parolees have the right to be treated respectfully, impartially, and fairly by all employees. Inmates and parolees have the responsibility to treat others in the same manner." Additionally, per the Health Care Department Operations Manual, Section 2.1.1, Patients' Rights, the individual patient's rights are maintained in concurrence with established medical ethics and to preserve the basic human dignity of the patient. Certain rights may be limited by reasonable application of security regulations. Per California Code of Regulations, Title 15, Section 3999.226(e), "Staff shall not take reprisal against the grievant for filing a health care grievance."

If you have health care needs, you may access health care services by utilizing approved processes in accordance with California Correctional Health Care Services policy.

This decision exhausts your administrative remedies.

al
Digitally signed
by HCCAB
Date:
2022.12.14
18:15:59-08'00'

December 14, 2022

S. Gates, Chief
Health Care Correspondence and Appeals Branch
Policy and Risk Management Services
California Correctional Health Care Services

Reviewed and Signed Date

Note 1: The headquarters' level review is based on records available as of the date the Headquarters' Level Response is signed by the reviewing authority.

Note 2: The closing date reflects the closed, mailed/delivered date of the health care grievance.

STATE OF CALIFORNIA
HEALTH CARE GRIEVANCE
CDCR 602 HC (Rev. 10/18)

DEPARTMENT OF CORRECTIONS AND REHABILITATION
Page 1 of 2

STAFF USE ONLY Expedited? ☐ Yes ☒ No Tracking #: COR SC 22000085
COR HC 22001011
Staff Name and Title(Print): N. Kures RN Signature: [Signature] Date: 7/11/2022

If you think you have a medical, mental health or dental emergency, notify staff immediately. If additional space is needed, use Section A of the CDCR 602 HC A Health Care Grievance Attachment. Only one CDCR 602 HC A will be accepted. You must submit this health care grievance to the Health Care Grievance Office for processing. Refer to California Code of Regulations (CCR), Title 15, Chapter 2, Subchapter 2, Article 5 for further guidance with the health care grievance process.

Do not exceed more than one row of text per line. WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First, MI): Thompson Dwayne CDCR #: T12115 Unit/Cell #: Ad-se9

SECTION A: Explain the applied health care policy, decision, action, condition, or omission that has had a material adverse effect upon your health or welfare for which you seek administrative remedy:

On June 29, 2022, between 7AM-11AM I was sexually harassed by CNA Nelson (2nd Watch, HUC) and on June 30, 2022, I was retaliated against by CNA Addison (2nd watch, HUC) Due take notice both events are related. On June 29, 2022, I let Nelson know that I was about to exercise to alleviate my stress and anger. Therefore, me being in crisis bed and in a smoc I let Nelson know that I was going to put paper in my window for privacy. To insult me, Nelson placed a placard on my window, which represents IEX behavior. I condoned her doing so for privacy. However, she told me that she would knock on my door before checking on me because she knew I would be naked. Rather than the "knock and check" she wandered off to a compartment to the cell I was assigned to (HUC 16), which

Supporting Documents Attached. Refer to CCR 3999.227 ☐ Yes ☒ No But video footage relative to mentioned times

Grievant Signature: [Signature] Date Submitted: 6/30/22

BY PLACING MY INITIALS IN THIS BOX, I REQUEST TO RECEIVE AN INTERVIEW AT THE INSTITUTIONAL LEVEL. ☒

SECTION B: HEALTH CARE GRIEVANCE REVIEW INSTITUTIONAL LEVEL: Staff Use Only Is a CDCR 602 HC A attached? ☒ Yes ☐ No

This grievance has been:

☐ Rejected (See attached letter for instruction): Date: _____ Date: _____

☐ Withdrawn (see section E)

☒ Accepted Assigned To: Medical [Signature] Title: SRN II Date Assigned: 8/14/2022 Date Due: 9/13/2022

Interview Conducted? ☒ Yes ☐ No Date of Interview: 9.13.2022 Interview Location: 3A03-150

Interviewer Name and Title (print): W. Doering, SRN II Signature: [Signature] Date: 9.13.22

Reviewing Authority Name and Title (print): Inform, SE TA Signature: [Signature] Date: 9/13/22

Disposition: See attached letter ☐ Intervention ☒ No Intervention

HCGO Use Only: Date closed and mailed/delivered to grievant: SEP 20 2022

1. Disability Code: ☐ TABE score ≤ 4.0 ☐ DPH ☐ DPV ☐ LD ☐ DPS ☐ DNH ☒ DDP ☒ Not Applicable

2. Accommodation: ☐ Additional time ☐ Equipment ☐ SLI ☐ Louder ☐ Slower ☐ Basic ☐ Transcribe ☐ Other*

3. Effective Communication: ☐ Patient asked questions ☐ Patient summed information ☐ Please check one: ☐ Not reached* ☐ Reached *See chrono/notes

4. Comments: _____

RECEIVED
COR COMPLETED
COR
JUL 11 2022
SEP 20 2022
HCGO
HCGO

STATE OF CALIFORNIA
HEALTH CARE GRIEVANCE
 CDCR 602 HC (Rev. 10/18)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Page 2 of 2

COR SC 22000085

Tracking #:

SECTION C:

Health Care Grievance Appeal. If you are dissatisfied with the Institutional Level Grievance Response, explain the reason below (if more space is needed, use Section C of the CDCR 602 HC A), and submit the entire health care grievance package by mail for Headquarters' (HQ) Level health care grievance appeal review. Mail to: Health Care Correspondence and Appeals Branch, P.O. Box 588500, Elk Grove, CA 95758.

I'm Dissatisfied With findings for T. Nelson Violated my expectation of bodily Privacy to be shielded from opposite sex. And L. Addison retaliated against me for exercising my right to grievance system.

Grievant Signature: 

Date Submitted: 9/26/22

SECTION D: HEALTH CARE GRIEVANCE APPEAL REVIEW HQ LEVEL: Staff Use OnlyIs a CDCR 602 HC A attached? ☒ Yes ☐ No

This grievance has been:

☐ Rejected (See attached letter for instruction): Date: _____ Date: _____☐ Withdrawn (see section E) ☒ Accepted☐ Amendment Date: _____Interview Conducted? ☐ Yes ☒ No Date of Interview: _____ Interview Location: _____

Interviewer Name and Title (print): _____ Signature: _____ Date: _____

Disposition: See attached letter ☐ Intervention ☒ No Intervention*This decision exhausts your administrative remedies.*

HQ Use Only: Date closed and mailed/delivered to grievant:

DEC 15 2022

SECTION E: Grievant requests to WITHDRAW health care grievance: I request that this health care grievance be withdrawn from further review. Reason:

Grievant Signature:

Date Submitted:

Staff Name and Title (Print):

Signature:

Date:

COMPLETED
 COR
 SEP 20 2022
 HCGO

COMPLETED
 STAFF USE ONLY
 DEC 15 2022

Distribution: Original - Returned to grievant after completed; Scanned Copy - Health Care Appeals and Risk Tracking System 2.0 (Do not place in central file or health record)

Unauthorized collection, creation, use, disclosure, modification or destruction of personally identifiable information and/or protected health information may subject individuals to civil liability under applicable federal and state laws.

STATE OF CALIFORNIA
HEALTH CARE GRIEVANCE ATTACHMENT
CDCR 602 HC A (10/18)

DEPARTMENT OF CORRECTIONS AND REHABILITATION
Page 2 of 2

Tracking #:

SECTION C: Continuation of CDCR 602 HC, Health Care Grievance Appeal, Section C only (Dissatisfied with Health Care Grievance Response):

Had a window for her to look into my cell. While I was working out, I looked up and saw Nelson watching me work out while I was naked. I asked her "why was she in room watching me through window when she said she would knock and check." I called her a Pervert and let her know I was going to write her up. Later that day she was teasing me about my genitals with CNA Adison (commenting on it's size) Therefore, we were ridiculing each other. And I said some rude comments to Adison. Therefore, on June 30, 2022, I was confined to my crisis bed cell Huc 16. I still had placard on window Nelson put up for privacy well as I had paper in my window for additional coverage for privacy. The CNA Alapisco was sitting on me for a 1 on 1. I let her know I was going to work out and bird bath. (About 6:30AM to 10AM) She condoned and "knocked before looking into my cell. Or awaited a response. She wound up taking a short break without my knowledge because my window was covered. I was naked in my cell after taking bird bath. I was letting the 1 pair of my boxers I had air out. Adison took over while Alapisco took her break. She went out her way to look into my cell, raising herself with a chair. And she saw me naked. I got angry coupled with incident a day prior. And I began calling her a Pervert and informing her I was going to write her up. In return, she said 2 can play game and word a false IEX report on me.

Grievant Signature: 

Date Submitted: 6/30/22

SECTION D: Staff Use Only: Grievants do not write in this area. Grievance Appeal Interview Clarification, Document issue(s) clarified during interview (If necessary at HQ Level).

**TREAT AS
ORIGINAL**

Name and Title: _____

Signature: _____

Date: _____

RECEIVED
COR
JUL 11 2022
HCGO

COMPLETED
COR
SEP 20 2022
HCGO

STAFF USE ONLY

Distribution: Original - Returned to grievant after completed, Scanned Copy - Health Care Appeals and Risk Tracking System 2.0 (Do not place in central file or health record)

Unauthorized collection, creation, use, disclosure, modification or destruction of personally identifiable information and/or protected health information may subject individuals to civil liability under applicable federal and state laws.

STATE OF CALIFORNIA

HEALTH CARE GRIEVANCE ATTACHMENT

CDCR 602 HC A (10/18)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

TREAT AS ORIGINAL

Page 1 of 2

STAFF USE ONLY

Tracking #:

CORSC 22000085

Attach this form to the CDCR 602 HC, Health Care Grievance, only if more space is needed. Only one CDCR 602 HC A may be used.

Do not exceed more than one row of text per line. WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First, MI):

Thompson Dewayne

CDCR Number:

T12115

Unit/Cell Number:

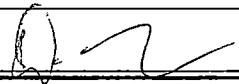
Ad-se 9

SECTION A:

Continuation of CDCR 602 HC, Health Care Grievance, Section A only (Explain the applied health care policy, decision, action, condition, or omission that has had a material adverse effect upon your health or welfare for which you seek administrative remedy):

Turn around

Grievant Signature:



Date Submitted:

6/30/22

SECTION B:

Staff Use Only: Grievants do not write in this area. Grievance Interview Clarification. Document issue(s) clarified during interview.

Name and Title:

Signature:

Date:

COMPLETED
COR
SEP 20 2022
HCGO

STAFF USE ONLY

COMPLETED
HCCAB
DEC 15 2022

Appendix B

Disciplinary Hearing Results (DHR)

CNA Addison's Q & A Pg. 5

CNA Alapisco Q & A Pg. 6

Action Taken Section Pg 1

Staff Assistant (S.A.) Pg 3

5 Pages (front and back)



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

DISCIPLINARY HEARING RESULTS

Institution Name: California State Prison, Corcoran Facility: COR-Central Service Log Number: 000000007199427
Inmate Name: THOMPSON, DEWAYNE R. CDC #: T12115 Bed Number: COR-S - S INFC1 - 016001E
TABE Score: 09.4 MH LOC: MHCBD DDP Status: NCF

DUE PROCESS

Rule Violation #: 3007 Specific Act: Indecent Exposure Without Prior Convictions for PC 314
Level: Serious Offense Division: Division D
Offense Occurrence: 3rd (or more) Occurrence
Violation Date: 06/30/2022 Violation Time: 08:06:00
Hearing Date: 08/05/2022 Hearing Time: 11:00:00
Did a laboratory confirm the evidence tested positive for Controlled substances? ☒ No

Actions Taken

Date	Time	Type/Reason	Staff	Elapsed Days
07/01/2022	12:26:20	RVR Ready for Review by Supv.	A. Miranda	1
07/01/2022	13:35:27	RVR Approved by Supervisor	D. Stanley	1
07/01/2022	13:36:04	RVR Classified	D. Stanley	1
07/01/2022	13:36:05	MH Assessment Requested	D. Stanley	1
07/06/2022	11:02:48	MH Assessment Received	U. UNKNOWN	6
07/08/2022	09:06:56	Inmate Copy Served Initial Rules Violation Report; MH Assessment Report	O. Barajas	8
07/08/2022	09:08:31	IE Assigned	O. Barajas	8
07/08/2022	09:09:02	SA Assigned	O. Barajas	8
07/15/2022	11:32:58	IE Report Prepared	O. Barajas	15
07/15/2022	11:33:33	IE Report Ready for Review	O. Barajas	15

07/15/2022	11:35:56	IE Report Approved By Supervisor	I. Bueno	15
08/03/2022	09:14:04	Inmate Copy Served Incident Report; Investigative Report; Medical Evaluation Report; Other	O. Barajas	34
08/04/2022	11:02:06	SA Inmate Interaction	A. Lopez	35

All Time Constraints Met?: Yes

SHO/HO DDP Certified?: Yes

Due Process Additional Information:

Subject made a personal appearance before this Senior Hearing Officer. He acknowledged that he was in good health and ready to proceed with the hearing at this time. The subject was advised of the charges against him and the purpose of this hearing. All time constraints were met. The subject acknowledged that he received a copy of all pertinent reports more than 24 hours prior to this hearing and that he was prepared to proceed with this hearing. This Senior Hearing Officer read the charges to the Subject.

HEARING

- ☒ Subject elected not to participate in the adjudication process by refusing to attend the hearing. An Informational Chrono was generated documenting the refusal to attend the hearing.
- ☒ Subject was Present, in good health and ready to proceed.

Hearing Additional Information

Subject is currently a participant of the MHSDS at the EOP level of care. Subject is currently a max level inmate.

DISABILITY

☒ Hearing ☒ Vision ☒ Mobility ☒ Learning ☒ Developmental/Cognitive
☒ Other ☒ None

Requires Accommodation? No

DDP Specific Information

128-C2 Reviewed? No

Current DDP Status Date:
04/10/2001

Did the Reporting Employee document the use of Adaptation Support(s)? N/A

Adaptive Support	Contribute	How	
<input type="text"/>	No	<input type="text"/>	
Victimization	Contribute	How	
<input type="text"/>	No	<input type="text"/>	

Disability Additional Information:

No documented Disabilities

MENTAL HEALTH ASSESSMENT

2.

L. Addison	CNA	Reporting Employee	Yes
------------	-----	--------------------	-----

Inmate Thompson : Asked Questions to CNA L. Addison

1. When you relieved CNA Alapisco for her short break was my window cover and placard up?
A: No, cell #16 it's a multiple hanging point cell so they have a direct observation at all times.
2. The previous times you relieved CNA's watching me did I verbally abuse you?
A: Irrelevant
3. Did you resent me for my verbal abuse?
A: Irrelevant
4. Before looking over window cover and placard, did you knock or give me notice before doing such?
A: Irrelevant, you are in constant observation at all times.
5. Did you ever consider placard and window cover being in my window was a sign of a little privacy?
A: Irrelevant, referred to answer #4
6. Could this have been prevented had you given me notice before looking in my cell?
A: Irrelevant, referred to answer #4.

Additional Questions:

1. Your answer that you had direct observation into Thompson's cell on June 30, 2022 and saw him masturbating.
A: Yes
2. Did you notice Thompson exposing himself upon you arriving at his cell?
A: Irrelevant, referred to additional questions answer #1. *She said yes on speaker phone. Audio Video Captured.*
3. Did you notice Thompson exposing himself since you had direct observation into his cell.
A: Irrelevant, referred to additional questions answer #1.
4. How long were you able to observe Thompson expose himself.
A: Irrelevant
5. Did he have enough time to cover himself upon you observing him allegedly exposing himself.
A: No. He approached the cell door.
6. Was CNA Alapisco present upon your arriving at Thompson's cellfront.
A: She was gone.
7. Video footage, CNA Alapisco and in your RVR it is confirmed Thompson had a placard on his cell front window. How come you deny this fact when you were investigated on matters.
A: Irrelevant Inmate Thompson stated he requested the placard to be placed on his window for privacy. In addition in the RVR L. Addison stated the following :I was performing suicide watch and there was a placard partially placed on the window.
8. Does the placard represent precautionary measures when peering inside a patient's cell.
A: Irrelevant, referred to additional questions answer #7. *Addison responded Placard represents sex offender....*

A. Alapisco	CNA	Witness	No
-------------	-----	---------	----

Questions Asked 3.

CNA Alapisco

1. On June 30, 2022, where you the primary CNA assigned to watch me for a 1 on 1 at my cell front in crisis bed?

A: Yes

2. While you were watching me for 1 on 1 was there a placard on my window?

A: Yes

3. Did I put paper in window to cover cell front window more due to me informing you I wanted privacy to work out and bird bath?

A: Yes, He was going to exercise and wanted privacy

4. Would you knock before looking in cell to check on me for courtesy and respect my privacy?

A: Yes

5. When CNA Addison relieved you for short break, was my window cover and placard up?

A: Yes

I. Garcia

CNA

Witness

No

Questions Asked

CNA Garcia

1. On June 29, 2022 when you replaced CNA Nelson to watch me at my cell front for a 1 on 1. Did I inform you that I got into it with Addison and Nelson?

A: I don't recall

I. Houston

LCP

Witness

No

Questions Asked

Psychologist Houston

1. Do you remember interviewing Thompson about his RVR for IEX on July 6, 2022?

A: Yes

2. Did not you confirm that staff should knock before looking into a patient or inmate cell when a placard or window cover is up before looking in?

A: Yes, they need to knock to indicate their presence.

Inmate Witness(es)

CDC#

Name

Bed

Granted?

Questions Asked**Witness Additional Information:****PLEA AND STATEMENT**

PLEA/STATEMENT: The above circumstances were read aloud to subject and elected to plea: Not Guilty

☐ Subject declined to make a statement

☒ Subject made a statement

Comments:

I plea not guilty

FINDINGS

Subject was found: Guilty as Charged based on a preponderance of evidence.

Lesser Included Charge:

Level:

Offense Division:

Offense Occurrence:

4.



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

RVR SUPPLEMENTAL

CDC NUMBER	INMATE'S NAME	FACILITY	LOG NUMBER	DATE
T12115	THOMPSON, DEWAYNE R.	COR-Central Service	000000007199427	07/15/2022

☒ SUPPLEMENTAL REPORT ☒ INVESTIGATIVE REPORT ☐ STAFF ASSISTANT REPORT

INVESTIGATIVE EMPLOYEE STATEMENT: I, Correctional Officer O. Barajas, was assigned as the Investigative Employee (IE) for Rules Violation Report (RVR) Log#7199427 for the specific act of: "INDICENT EXPOSURE WITHOUT PRIOR CONVICTIONS FOR PC314" I asked inmate THOMPSON CDC#T12115 (Subject) if he had any objections to me serving in this capacity and explained that my role of Investigative Employee is that of a fact-finder for the Senior Hearing Officer (SHO). Inmate THOMPSON accepted my role as the Investigative Employee in this matter, and sign his 115A indicating his request on 7/08/22.

INMATE STATEMENT: Video evidence will show that my window was covered with placard and paper for privacy during my exercising, and me reprimanding Addison for looking over window cover before knocking. Culminating to her alerting Officer Rojas on false charges of me jacking off to her. When I was not. This write up is out of spite and retaliation for previous events when I verbally abuse Addison in matters when my privacy was violated by her. Co-worker Nelson and I threatening to write her up for not respecting my privacy and being unethical by laughing at me when Nelson made degrading remark about my genitals.

REPORTING EMPLOYEE STATEMENT: NONE

STAFF WITNESS REQUESTED AT HEARING: NONE

INMATE WITNESS REQUESTED AT HEARING: NONE

STAFF WITNESS STATEMENTS: NONE

INMATE WITNESS STATEMENTS: NONE

REPORTING EMPLOYEE REQUESTED AT HEARING: NO

INVESTIGATIVE EMPLOYEE REQUESTED AT HEARING: NO

STAFF ASSISTANT PRESENT DURING INTERVIEW: YES

INMATE QUESTIONS:

CNA Alapisco

1. On June 30, 2022, where you the primary CNA assigned to watch me for a 1 on 1 at my cell front in crisis bed?

A: Yes

2. While you were watching me for 1 on 1 was there a placard on my window?

A: Yes

3. Did I put paper in window to cover cell front window more due to me informing you I wanted privacy to work out and bird bath?

A: Yes, He was going to exercise and wanted privacy

4. Would you knock before looking in cell to check on me for courtesy and respect my privacy?

A: Yes

5. When CNA Addison relieved you for short break, was my window cover and placard up?

A: Yes

CNA Garcia

1. On June 29, 2022 when you replaced CNA Nelson to watch me at my cell front for a 1 on 1. Did I inform you that I got into it with Addison and Nelson?

A: I don't recall

CNA Addison

1. When you relieved CNA Alapisco for her short break was my window cover and placard up?

A: No, cell #16 it's a multiple hanging point cell so they have a direct observation at all times.

2. The previous times you relieved CNA's watching me did I verbally abuse you?

A: Irrelevant

3. Did you resent me for my verbal abuse?

A: Irrelevant

4. Before looking over window cover and placard, did you knock or give me notice before doing such?

A: Irrelevant, you are in constant observation at all times.

5. Did you ever consider placard and window cover being in my window was a sign of a little privacy?

5.

A: Irrelevant, referred to answer #4

6. Could this have been prevented had you given me notice before looking in my cell?

A: Irrelevant, referred to answer #4.

Psychologist Houston


1. Do you remember interviewing Thompson about his RVR for IEX on July 6, 2022?

A: Yes

2. Did not you confirm that staff should knock before looking into a patient or inmate cell when a placard or window cover is up before looking in?

A: Yes, they need to knock to indicate their presence.

INVESTIGATIVE EMPLOYEE COMMENT: I was assigned as the Investigative Employee for this RVR and, as such, I interviewed the subject and informed him of his right to request witnesses, both staff and inmates, to be at the hearing and of his right to provide questions for the witnesses. The subject did provide a statement, and questions. There were no other witnesses to be interviewed and I concluded my investigative duties.

<p>SIGNATURE OF WRITER:</p> <p>O. Barajas</p> 	<p>TITLE:</p> <p>c/o</p>	<p>DATE:</p> <p>07/15/2022</p>
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CDCR SOMS ISST122 - RVR SUPPLEMENTAL

Appendix C
Amended RvR
Addison's 2nd Allegations

1 Page



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

RULES VIOLATION REPORT

CDC NUMBER T12115	INMATE'S NAME THOMPSON, DEWAYNE R.	EPRD 02/08/2036	FACILITY COR-Central Service	HOUSING LOCATION COR-S - S INFC1 - 016001L
VIOLATION DATE 06/30/2022	VIOLATION TIME 08:06:00	VIOLATION LOCATION COR-Central Service - CELL		WITH STG NEXUS No

Did the reporting employee ensure the inmate understands (to the best of his/her ability) the consequences of the continued misconduct? N/A

Did the reporting employee take into consideration the severity of the inmate's disability and the need for adaptive support services when determining the method of discipline? N/A

CIRCUMSTANCES OF VIOLATION

I Officer A. Miranda is entering this RVR on behalf of (CNA) L. Addison due to her not having access to SOMS. On Thursday June 30, 2022 at approximately 0806 hours, Inmate Thompson T12115 INF-C-16 committed the act of Indecent Exposure with masturbation while I, Certified Nursing Assistant (CNA) L. Addison was performing my assigned duties. During this time, I was performing suicide watch and there was a placard partially placed on the window. When I positioned myself high enough to look over the placard to see inmate Thompson, he was looking directly towards the door and in my direction making eye contact and did not make any attempt to conceal his naked body while stroking an erect penis in an up and down motion. I banged on his door loudly and stated to him, "Do not do that!" as I felt overwhelmed in embarrassment and disgusted. He immediately launched himself towards the door and became aggressive in his tone towards me. I then pushed myself a little ways from the door to look for an officer to report this incident to as I cannot remove myself from a one to one inmate/patient. Correctional Sergeant M. Ortega was notified immediately of what occurred.

REPORTING EMPLOYEE A. Miranda	TITLE c/o	ASSIGNMENT	RDO	DATE: 07/01/2022
----------------------------------	--------------	------------	-----	---------------------

RVR LOG NUMBER: 000000007199427	VIOLATED RULE NUMBER: 3007
SPECIFIC ACT: Indecent Exposure With Prior Convictions for PC 314	

CLASSIFICATION	
LEVEL: Serious	OFFENSE DIVISION: Division B
REFERRED TO: Senior Hearing Officer	FELONY PROSECUTION LIKELY: No

REVIEWING SUPERVISOR D. Stanley	TITLE Lieutenant	DATE 07/01/2022
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CLASSIFIED BY D. Stanley	TITLE Lieutenant	DATE 07/01/2022
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CDCR SOMS ISST120 - RULES VIOLATION REPORT

Appendix D

Original Version of Defendant
Addison account of Incident that
Plaintiff received. Her reports to
Sgt Ortega and Lt. Staley

1 Page

CDCR

INCIDENT REPORT PACKAGE

PAGE: 9

REPORT NO. ITR161 - 12

INCIDENT LOG NUMBER: 00000000041197

PROCESSED: 07/15/2022 11:37

REQUESTOR: I. Bueno

STAFF NARRATIVE

STAFF NAME: Stanley [REDACTED]

NARRATIVE TYPE: Initial Report

CREATED DATE: 07/05/2022

CREATED TIME: 11:06:17

NARRATIVE

On June 30, 2022 at approximately 0806 hours, Inmate Thompson T12115 INF-C-16, committed the act of Indecent Exposure with Masturbation.

Specifically when medical staff were completing their suicide watch observations, she observed Inmate Thompson stroking his erect penis in an up and down motion while making direct eye contact with her. Upon medical staff ordering Inmate Thompson to stop his actions, Inmate Thompson launched himself toward the door and became aggressive in his tone toward her. She (medical staff) immediately left the cell front and notified custody staff of what had occurred.

Inmate Thompson was served an Administration Placement Notice for "Indecent Exposure with Masturbation."

D. Stanley

DATE: 07/05/2022

STAFF SIGNATURE

BADGE #: 68645

PERNR: 24608

NARRATIVE REVIEWED: Yes

REVIEWED BY STAFF: Pilkerton, Maria

REVIEWED DATE: 07/11/2022

REVIEWED TIME: 15:13:57

STAFF NAME: Ortega, [REDACTED]

NARRATIVE TYPE: Initial Report

CREATED DATE: 06/30/2022

CREATED TIME: 11:21:45

NARRATIVE

On Thursday June 30, 2022 at approximately 0806 hours, Inmate Thompson T12115 INF-C-16 committed the act of Indecent Exposure with masturbation. Specifically, Certified Nursing Assistant (CNA) L. Addison was performing mental health rounds in CTC Unit C, she observed inmate THOMPSON, exposing his penis. THOMPSON was looking directly towards the door and made eye contact with Addison. THOMPSON did not make any attempt to conceal his naked body while stroking an erect penis in an up and down motion. CNA Addison removed herself from the front of the cell and immediately informed Correctional Sergeant M. Ortega of what occurred. Inmate THOMPSON was immediately placed on IEX Security Precautions (Yellow Placard).

A conducted a (CDCR 7219) Medical Report of Injury or unusual occurrence was conducted, noting no injuries or exposure to chemical agents. Inmate THOMPSON stated "I didn't do anything, I have chest pain".

All appropriate paperwork was processed in accordance with CSP-Corcoran's Operational Procedure 1001, Management of Inmate Sexual Misconduct and Exhibitionism Treatment

M. Ortega

DATE: 06/30/2022

STAFF SIGNATURE

BADGE #: [REDACTED]

PERNR [REDACTED]

NARRATIVE REVIEWED: Yes

REVIEWED BY STAFF: Stanley, [REDACTED]

REVIEWED DATE: 06/30/2022

REVIEWED TIME: 14:13:19

CDCR

INCIDENT REPORT PACKAGE

PAGE: 11

REPORT NO. ITR161 - 12

INCIDENT LOG NUMBER: 00000000041197

PROCESSED: 07/15/2022 11:37

REQUESTOR: I. Bueno

ACTIONS TAKEN				
DATE/TIME	ACTION TYPE	STAFF NAME	REFERRED TO	ELAPSED DAYS
07/12/2022 15:03:18	Clarification Requested	Bugarin [REDACTED]	Stanley [REDACTED]	12
07/11/2022 15:16:00	Clarification Requested	Pilkerton [REDACTED]	Ortega, [REDACTED]	11
06/30/2022 14:19:55	Incident Commander Reviewed	Stanley [REDACTED]	Pilkerton [REDACTED]	0
06/30/2022 14:19:39	Notification	Stanley [REDACTED]		0
06/30/2022 08:06:00	Incident Package Initiated	Stanley [REDACTED]		0

Appendix E

Mental Health Records

- 1.) Hunger strike for false RVR of IEX by Defendant L. Addison
- 2.) Pro Life factor, Parole Board hearing: Opportunity for Parole Sustainability

4 Pages

COR - California State Prison, CorcoranPatient: **THOMPSON, DEWAYNE RAMON**

DOB/Age/Birth Gender: 10/8/1977 / 44 years / Male

CDCR: T12115

Mental Health Forms

Current/recent depressive symptoms : Yes
 Increasing interpersonal isolation : No
 Hopelessness/helplessness : No
 Current/recent psychotic symptoms : No
 Current/recent anxiety or panic symptoms : Yes
 Recent serious medical diagnosis : No
 Current/recent subst abuse/intoxication : No
 pain problems : No
 Agitated or angry : Yes
 Medication hoarding/cheeking : No

Sparks, Tiffany Lic CSW - 8/3/2022 9:54 PDT

Protective Factors / Buffers

Quality of Protective Factors : 08/03/22: IP currently denies SI/HI and/or any plans, means, intent to engage in SIB's and agreed to resume eating. Additionally, IP expresses future orientation as well as clearly demonstrates his ability to self-advocate by speaking with staff (custody, medical, mental health, CIT) about any issues, concerns, and/or problems he is experiencing.

On a regular basis, IP attends yard (exercises) and his MH appointments (groups, 1:1's) as part of his coping skills; IP also identifies spirituality and planning for his future (per IP he has a BPH appointment in about 1 month) once released from incarceration as protective factors.

Sparks, Tiffany Lic CSW - 8/3/2022 11:40 PDT

Family support : No
 Interpersonal social support : Yes
 Religious/spiritual/cultural beliefs : Yes
 Future orientation/plans for future : Yes
 Exercises regularly : Yes
 Positive coping/conflict resolution : Yes
 Children at home : Yes
 Spousal support : No
 Insight into problems : Yes
 Job or school assignment : Yes
 Active and motivated in psych treatment : Yes
 Sense of optimism; self-efficacy : Yes

Sparks, Tiffany Lic CSW - 8/3/2022 9:54 PDT

Additional Information and Warning Signs

Additional Information : IP was alert and oriented x 4. He was slightly agitated, but cooperative and respectful with the interview. He was well groomed, dressed in standard prison attire (safety smock). Speech was slightly pressured in rate and tone. Mood was dysphoric; however, IP smiled while conversing with IP. Affect was full range and congruent. Thought processes were goal directed. Thought content was linear. No delusions were elicited. Denied perceptual disturbances and did not appear to be responding to internal stimuli. Attention and concentration were intact. Fair insight, poor judgment. Denied SI, HI, plans, means, or intent. He did not appear to be in acute distress. IP denied any problems with sleep, but stated he was hungry (due to hunger strike he began on 07/30/22) and ready to accept a meal/tray from custody.

Warning sign of imminent suicide present : A- Anxiety: Agitation/panic?, A - Agitation/anger: Self-loathing - acting out

Legend: c=Corrected, @=Abnormal, C=Critical, L=Low, H=High, f=Result Comment, i=Interp Data, *=Performing Lab

Report Request ID: 59289925

Print Date/Time: 8/25/2022 10:17 PDT

WARNING: This report contains confidential, proprietary, and/or legally privileged information intended for the recipient only.

COR - California State Prison, Corcoran

Patient: **THOMPSON, DEWAYNE RAMON**
 DOB/Age/Birth Gender: 10/8/1977 / 44 years / Male

CDCR: T12115

Mental Health Forms

Did the patient refuse to participate or are they currently unable to respond? : No

Adam, Benjamin Sr Psych Spec - 7/6/2022 10:47 PDT

C-SSRS Suicidal Ideation

CSSRS Wish to be Dead 2 : Yes

1. Have you wished you were dead or wished you could go to sleep and not wake up? (ref) : Yes

Lifetime: Time he/she felt most suicidal : Active SI 6/30/2022

CSSRS Non Specific Active Suicide Thought 2 : Yes

2. Have you actually had any thoughts of killing yourself? (ref) : Yes

CSSRS Non Specific Suicide Thought Cmmt : Active SI 6/30/2022

CSSRS Suicide Idea w- Method No Intent 2 : Yes

3. Have you been thinking about how you might do this? (ref) : Yes

CSSRS Suicidal Ideation w- Method Cmmt : Active SI 6/30/2022

CSSRS Active Suicide Idea Intent no Plan 2 : Yes

4. Have you had these thoughts and had some intention of acting on them? (ref) : Yes

CSSRS Suicidal Ideation w-Intent Comment : Active SI 6/30/2022

CSSRS Suicidal Ideation Intent w-Plan 2 : Yes

5. Have you started to work out or worked out the details of how to kill yourself? Do you intend to carry out this plan? (ref) :

Yes

CSSRS Suicidal Ideation With Plan and Intent Comment : Active SI 6/30/2022

CSSRS Lifetime, Most Severe Ideation : Thoughts and had some intention towards killing themselves

CSSRS Recent, Most Severe Ideation : Thoughts and had some intention towards killing themselves

CSSRS Frequency of Suicidal Thoughts : Less than once a week

CSSRS Duration of Suicidal Thoughts : One to four hours, a lot of the time

CSSRS Controllability of Suicidal Thoughts : Can control thoughts with a lot of difficulty

CSSRS Deterrents of Suicidal Thoughts : Uncertain that deterrents stopped you

CSSRS Reasons for Ideation : Equally for attention, revenge, reaction of others, end pain

CSSRS Intensity of Ideation Total Score : 13

Adam, Benjamin Sr Psych Spec - 7/6/2022 10:47 PDT

C-SSRS Suicidal Behavior

1. Actual Attempt(s): A potential self-injurious act committed with at least some wish to die, as a result of the act. There does not have to be any injury of harm. : Yes

CSSRS Actual Suicide Attempt : No

CSSRS Actual Suicide Attempt Comment :

Total Number of Attempts - if none enter "0"

(Banner Bar will reflect the lifetime number) : 3

CSSRS Engaged Non Suicidal Injury 2 : Yes

2. Has subject engaged in Self-harm without intent? : Yes

CSSRS Interrupted Suicide Attempts 2 : No

CSSRS Aborted Self Inter Attempts 2 : No

CSSRS Preparatory Acts or Behavior 2 : No

Injury Severity, Initial 1st Attempt Date : Noose around neck c. 2012

Injury Severity, Most Recent Attempt Date : 7/17/2021 (cut wrist - minor injury, no intent)

Injury Severity, Most Lethal Attempt Date : Noose around neck c. 2012

Injury Severity, Initial 1st Attempt : Minor injury

Legend: c=Corrected, @=Abnormal, C=Critical, L=Low, H=High, f=Result Comment, i=Interp Data, *=Performing Lab

Report Request ID: 59288282

Print Date/Time: 8/25/2022 10:22 PDT

WARNING: This report contains confidential, proprietary, and/or legally privileged information intended for the recipient only.

2.

COR - California State Prison, Corcoran

Patient: THOMPSON, DEWAYNE RAMON

DOB/Age/Birth Gender: 10/8/1977 / 44 years / Male

CDCR: T12115

Progress Notes

Document Type: Progress Note-Nurse
 Document Subject: D/C to 3AO3
 Service Date/Time: 7/6/2022 16:20 PDT
 Result Status: Auth (Verified)
 Perform Information: Kaur,Ramandeep UM RN (7/6/2022 16:22 PDT)
 Sign Information: Kaur,Ramandeep UM RN (7/6/2022 16:22 PDT)
 Authentication Information: Kaur,Ramandeep UM RN (7/6/2022 16:22 PDT)

Encounter Info: Patient Name: DEWAYNE THOMPSON, DOB: 10/08/1977, CDCR: T12115, FIN: 89558, Facility: COR, Encounter Type: Inpatient MH
 D/C to 3AO3 @ 16:15 with custody. Education given, meds given. No acute distress noted. Respiration even and unlabored. Denies any medical concern.
 DME's and meds sent.

Electronically Signed on 07/06/2022 04:22 PM PDT

Kaur, Ramandeep UM RN, UM RN

Document Type: Progress Note-Nurse
 Document Subject: hunger strike
 Service Date/Time: 7/3/2022 19:44 PDT
 Result Status: Auth (Verified)
 Perform Information: Cherland, Derek RN (7/3/2022 19:45 PDT)
 Sign Information: Cherland, Derek RN (7/3/2022 19:45 PDT)
 Authentication Information: Cherland, Derek RN (7/3/2022 19:45 PDT)

Encounter Info: Patient Name: DEWAYNE THOMPSON, DOB: 10/08/1977, CDCR: T12115, FIN: 89558, Facility: COR, Encounter Type: Inpatient MH
 Patient is no longer on a hunger strike.

Electronically Signed on 07/03/2022 07:45 PM PDT

Cherland, Derek RN, RN

Document Type: Progress Note-Nurse
 Document Subject: HUNGER STRIKE - MISSED 9 MEALS *actually 11*
 Service Date/Time: 7/3/2022 17:20 PDT
 Result Status: Auth (Verified)
 Perform Information: Lewis, Lina RN (7/3/2022 17:22 PDT)
 Sign Information: Lewis, Lina RN (7/3/2022 17:22 PDT)
 Authentication Information: Lewis, Lina RN (7/3/2022 17:22 PDT)

Encounter Info: Patient Name: DEWAYNE THOMPSON, DOB: 10/08/1977, CDCR: T12115, FIN: 89558, Facility: COR, Encounter Type: Inpatient MH

Weight and VS taken. *165.04 lbs*
 Wgt: 75.02 kg *165.04 lbs*
 BP: 133/72 *started at 180 in June 2022 first hunger strike*
 o2 sats: 99% RA *4 days of hunger strike*

Legend: c=Corrected, @=Abnormal, C=Critical, L=Low, H=High, f=Result Comment, i=Interp Data, *=Performing Lab

Report Request ID: 59288282

Print Date/Time: 8/25/2022 10:22 PDT

WARNING: This report contains confidential, proprietary, and/or legally privileged information intended for the recipient only.

COR - California State Prison, Corcoran

Patient: THOMPSON, DEWAYNE RAMON

DOB/Age/Birth Gender: 10/8/1977 / 44 years / Male

CDCR: T12115

Medical Chrono

No data exists for this section

Mental Health - Nursing

No data exists for this section

Miscellaneous Patient Care

No data exists for this section

Physician Orders

No data exists for this section

Progress Notes

Document Type:	Inpatient Progress Note
Document Subject:	Noncardiac chest pain
Service Date/Time:	6/30/2022 11:05 PDT
Result Status:	Auth (Verified)
Perform Information:	Hernandez, Francisco NP (6/30/2022 11:08 PDT)
Sign Information:	Hernandez, Francisco NP (6/30/2022 11:08 PDT)
Authentication Information:	Hernandez, Francisco NP (6/30/2022 11:08 PDT)

The RN approached me about this patient having complaints of chest pain after he allegedly was found doing some sort of sexual things in his cell. The patient was upset and started complaining of chest pain. The patient was evaluated by nursing staff with vital signs were temperature 97.5, pulse of 66, respirations 16, blood pressure 141/83, and 98% room air oxygen saturation. Review of the patient's chart shows the patient has no significant past medical history for hypertension diabetes or cardiovascular disease. The patient will not have an EKG ordered. The patient pain is most likely secondary to the patient being upset and wanting some sort of attention. The patient did have Tylenol ordered for noncardiac chest pain

Encounter Info: Patient Name: DEWAYNE THOMPSON, DOB: 10/08/1977, CDCR: T12115, FIN: 89558, Facility: COR, Encounter Type: Inpatient MH

Electronically Signed on 06/30/2022 11:08 AM PDT

Hernandez, Francisco NP, NP

Legend: c=Corrected, @=Abnormal, C=Critical, L=Low, H=High, f=Result Comment, i=Interp Data, *=Performing Lab

Report Request ID: 59288282

Print Date/Time: 8/25/2022 10:22 PDT

WARNING: This report contains confidential, proprietary, and/or legally privileged information intended for the recipient only.

Appendix G Cell Search Receipt

Precluding Personal Items

Confiscated- breakfast and lunch.
Legal material, Personal soap ~~and~~
demonstrating search was retaliatory
and coaxial cable was confiscated, preventing
Plaintiff from watching television

1 Page

CORCORAN STATE PRISON FACILITY 3A

CELL SEARCH/LOCKER SEARCH/PROPERTY REMOVED RECEIPT

In accordance with California Code of Regulations, Title 15, Section 3287 (4), this notice is being issued to you due to a / Inspection / Search having been conducted on your cell/locker.

BUILDING: 3A03 CELL/LOCKER #: 202
PROPERTY/CONTRABAND listed below was removed on 8/26 2022

- | | |
|--|---|
| 1. <u>#3 State Razors</u> | 5. <u>medical pills in wrapper</u> |
| 2. <u>Excess State issued clothing</u> | 6. <u>Caraboard</u> |
| 3. <u>Caraboard BOXES total #2</u> | 7. <u>excess State Soap, State toothbrush</u> |
| 4. <u>Cox Cable not in original state torn into two pieces</u> | 8. _____ |

Reason Removed:

Contraband, excess

Disposition / Comments:

Inmate Name: Thompson CDC Number: T-12115

Inmate Signature: _____ Inmate Present: _____

Inmate Name: _____ CDC Number: _____

Inmate Signature: _____ Inmate Present: _____

Officer: J. Rocha Date of Inspection/Search: 8/26/22

Officer: A. Lopez Date of Inspection/Search: 8/26/22

Appendix J

RVR Possession of (State
Disposable non-allowed razor)
Deadly Weapon by Defendants
J. Rocha and A. Lopez out of
retaliation for Plaintiff exercising
his U.S. 1st and 8th Amendment
Constitution.

1 Page



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

RULES VIOLATION REPORT

CDC NUMBER T12115	INMATE'S NAME THOMPSON, DEWAYNE R.	EPRD 05/08/2036	FACILITY COR-Facility 03A	HOUSING LOCATION COR-03A - 03A003 2 - 202001L
VIOLATION DATE 08/26/2022	VIOLATION TIME 08:50:00	VIOLATION LOCATION COR-Facility 03A - CELL		WITH STG NEXUS No

Did the reporting employee ensure the inmate understands (to the best of his/her ability) the consequences of the continued misconduct? N/A

Did the reporting employee take into consideration the severity of the inmate's disability and the need for adaptive support services when determining the method of discipline? N/A

CIRCUMSTANCES OF VIOLATION

On August 26, 2022 at approximately 0850 hours while performing my duties as 3A03 SEC PAT EOP ASU Officer 2, I was conducting a random cell search of Inmate Thompson's cell (CDC# T-12115, 3A03- 202). It should be noted, the cell is solely occupied by Thompson. Thompson was currently placed in Holding Cell #7 in "C-Section" as we were waiting for the Crisis Intervention Team (CIT) to arrive due to him informing Custody Staff he had suicidal ideations. While conducting a systematic search of Thompson's cell, I discovered three (3) State issued razors secreted inside inmate Thompson's legal mail property. The razors were still intact with the plastic handle and not altered. I confiscated the razors and placed them inside my left cargo pant pocket. I continued with the systematic search of the cell with negative results for contraband. At this time, I informed Correctional Lieutenant F. Flores of my findings. I proceeded back to holding cell #7 and informed Thompson of the items I confiscated with a cell search receipt and informed him that he would be receiving a CDCR- 115 Rules Violation Report. I disposed of the items confiscated from the cell search and placed them in the hot trash. This concludes my involvement of this report.

PERNR-125406
BWC-B8A44F2E44E0

REPORTING EMPLOYEE A. Lopez	TITLE Correctional Officer	ASSIGNMENT	RDO	DATE: 08/26/2022
--------------------------------	----------------------------------	------------	-----	---------------------

RVR LOG NUMBER: 000000007215889

VIOLATED RULE NUMBER: 3006(a)

SPECIFIC ACT: Possession of a deadly weapon

CLASSIFICATION

LEVEL: Serious

OFFENSE DIVISION: Division A1

REFERRED TO: Hearing Officer

FELONY PROSECUTION LIKELY: Yes

Appendix ~~NA~~ K

-----PREA Grievance, Sexual Misconduct
Defendant Rocha J.

Retaliation, Punitive Cell Search for
Plaintiff exercising 1st and 8th Amendment
right

7 Pages



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

OFFICE OF GRIEVANCES DECISION

Offender Name: THOMPSON, DEWAYNE RAMON

Date: 10/28/2022

CDC#: T12115

Current Location: COR-Facility 03A

Current Area/Bed: 03A003 2 - 242001L

Log #: 000000298147

Claim #: 001

Received at Institution/Parole Region: California State Prison, Corcoran

Submitted to Facility/Parole District: COR-Facility 03A

Housing Area/Parole Unit:

Category: Offender Activities

Sub-Category: Other Activity - NOS

I. CLAIM

You contended that you are not receiving ten (10) hours of the recreational yard.

II. RULES AND REFERENCES

A. CONTROLLING AUTHORITY

- 1.) Your CDCR 602 Inmate/Parolee Appeal and attachments
- 2.) Operational Procedure 220
- 3.) Strategic Offender Management System, Bed Assignments, External Movement.

B. DOCUMENTS CONSIDERED

- 1.) CDCR 602 Inmate/Parolee Appeal
- 2.) Inmate Segregation Record (CDC 114-A)

III. REASONING AND DECISION

Based on the information gathered during this inquiry, it was discovered that you had been offered ten hours per week. After reviewing your Inmate Segregation Records file (CDC 114-A) shows you have been going out to the yard on your assigned days. Inmates not in quarantine are offered to go to the yard on Monday, Tuesday, and Friday. Inmates currently in quarantine will be offered their yard time on Tuesday, Thursday, and Saturday. If any makeup yard is to be done, it will be conducted on Sunday.

Based on the above information, your appeal is DISAPPROVED at the First Level of Review. If you are dissatisfied with this decision, you may appeal to the Second Level by following the instructions on your appeal form.

IV. Comments

Decision: Denied

After a thorough review of all the documents and evidence presented to the Office of Grievances, it is the order of the Office of Grievances to DENY this claim.

If you are dissatisfied with this response you may appeal this decision by mailing the CDCR Form 602-2 included in this response to the California Department of Corrections and Rehabilitation, Office of Appeals. Do not resubmit this claim to the Office of Grievances.

Staff Signature	Title	Date/Time
E. Silva [SIED001]	Reviewing Authority	10/26/2022

Claim #: 002

Received at Institution/Parole Region: California State Prison, Corcoran

Submitted to Facility/Parole District: COR-Facility 03A

Housing Area/Parole Unit:

Category: Offender Resources

Sub-Category: Property

I. CLAIM

You contended that Officer Rocha confiscated the property during a cell search.

II. RULES AND REFERENCES

A. CONTROLLING AUTHORITY

- 1.) Your CDCR 602 Inmate/Parolee Appeal and attachments
- 2.) Operational Procedure 220
- 3.) Strategic Offender Management System, Bed Assignments, External Movement.

B. DOCUMENTS CONSIDERED

- 1.) CDCR 602 Inmate/Parolee Appeal
- 2.) Staff Interview
- 3.) Cell Search Property Receipt

III. REASONING AND DECISION

Based on the information gathered during this inquiry, it was discovered that Correctional Officer did not take any personal property from your cell. Correctional Officer J. Rocha stated that the only items he took from your cell were Three (3) State Razors, Excess Trash, Card Board, and Coax Cable. Correctional Officer Rocha generated a property receipt for your cell search, which was provided to you.

Based on the above information, your appeal is DISAPPROVED at the First Level of Review. If you are dissatisfied with this decision, you may appeal to the Second Level by following the instructions on your appeal form.

IV. Comments

Decision: Denied

After a thorough review of all the documents and evidence presented to the Office of Grievances, it is the order of the Office of Grievances to DENY this claim.

If you are dissatisfied with this response you may appeal this decision by mailing the CDCR Form 602-2 included in this response to the California Department of Corrections and Rehabilitation, Office of Appeals. Do not resubmit this claim to the Office of Grievances.

Staff Signature	Title	Date/Time
E. Silva [SIED001]	Reviewing Authority	10/27/2022

Claim #: 003

Received at Institution/Parole Region: California State Prison, Corcoran

Submitted to Facility/Parole District: COR-Facility 03A

Housing Area/Parole Unit:

Category: General Employee Performance

Sub-Category: Other Staff Misconduct - NOS

The California Department of Corrections and Rehabilitation received your grievance on 08/29/2022 which you submitted on 08/26/2022.

Pursuant to the California Code of Regulations, title 15, your claim has been identified as an allegation of staff misconduct, meaning it will be referred outside the grievance and appeal process to an appropriate authority within the Department for the purpose of gathering facts needed to prove or disprove the allegation. A separate response will be provided to you at the conclusion of that process. This decision exhausts all administrative remedies available to you for this claim.

Decision: Allegation of Staff Misconduct

Claim #: 004

Received at Institution/Parole Region: California State Prison, Corcoran

Submitted to Facility/Parole District: COR-Facility 03A

Housing Area/Parole Unit:

Category: General Employee Performance

Sub-Category: Other Staff Misconduct - NOS

The California Department of Corrections and Rehabilitation received your grievance on 08/29/2022 which you submitted on 08/26/2022.

Pursuant to the California Code of Regulations, title 15, your claim has been identified as an allegation of staff misconduct, meaning it will be referred outside the grievance and appeal process to an appropriate authority within the Department for the purpose of gathering facts needed to prove or disprove the allegation. A separate response will be provided to you at the conclusion of that process. This decision exhausts all administrative remedies available to you for this claim.

Decision: Allegation of Staff Misconduct

STATE OF CALIFORNIA
GRIEVANCE
 CDCR 602-1 (03/20)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

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STAFF USE ONLY

Grievance #: 298147 Date Received: _____
 Date Due: _____
 Categories: _____

This is the process to ask for help with a complaint.

Claimant Name: Dewayne Thompson CDCR #: T12115 Current Housing/Parole Unit: 3A03-202
 Institution/Facility/Parole Region: CSP-Corcoran

In order for the Department to understand your complaint, make sure you have answered the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- Are there documents that would be helpful to support your position? List the documents if you do not have them. Please note that documents submitted with this form will not be returned.
- What specific action would resolve your complaint?

*PRE A ALLEGATIONS
 and unnecessary Force,
 and retaliation claims*

on August 26, 2022 approximately 8:35AM to 11AM officer J. Rocha and A Lopez retaliated against me by conducting a punitive cell search due to my filing grievances and threats of lawsuit based on me not getting my exercise for amount of time required (10 hours). Therefore, on day in question after I found out exercise yard list was done for the inmates who would get yard for the day (a Friday, which meant I would not get chance at yard again until Monday) I alerted staff I was having chest pains and feeling suicidal. During which I was complaining of not getting exercise yard per week as I should. I am only getting 3.5 hours per week out of 10 hours and some days of not getting yard due to yard being ran one time- Monday, Wednesday, Friday, none never on weekend, despite quarantine yard suppose to be Tuesday, Thursday, Saturday- for from 9:30AM to 12:30 PM only for the inmates who were signed on list for the number of walk alone cages available.... Ensuing, Rocha and Lopez searched my cell vandalizing it by exaggerating safety and security and under pretenses for my claiming to be suicidal. However they let it be known for it being retaliatory for they both taunted me by saying they had to search my cell for me being suicidal and writing grievances and lawsuits for mines and their protection. However, they took personal and state material that had nothing to do with safety and security: i.e., 1.) my breakfast and lunch

STATE OF CALIFORNIA

GRIEVANCE

CDCR 602-1 (03/20)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

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they provided me during cell feeding, 2.) coaxial cable to my TV, preventing me from watching TV shows; and they did not provide me radio, despite me being EOP and it being court order for my cell to have TV or radio, 3.) my personal and state soap, state toothbrush and tooth powder 4.) my civil complaint about my yard deprivation (inter alia) along with case law in support thereof. They wounded up confiscating Pills for (Tylenol) and razors that Lopez gave me during shower and did not take back as he should've. Lopez wounded up telling me he was writing me up for razors. And he should write me up for pills to send me to crisis bed, which demonstrates his actions weren't to further safety and security. The personal items Lopez and Rocha confiscated I should've been allowed to send home or donate. They never provided me opportunity as I requested. Ensuing, upon hearing my complaint while being evaluated for suicide assessment by psychologist Yang, the Sgt arranged for me to get yard. Officer Rocha wounded up escorting me to my cell to get my DME shoes and what not, despite us getting into a confrontation about him escorting me to my cell. In route to he told me he would have to strip search me, which was for no reason but to harass because he was ready to take me to yard beating from holding case without strip searching me. During strip search at my cell, nevertheless, he wounded up swiping my genitals intentionally while he was grabbing for my boxers. I was handing him through porthole on cell front door. Then he made me bend over and spread my butt cheeks to conduct cavity inspection. After which I reported PREA allegations to Sgt Barros, ISU and unnecessary force for Rocha squeezing my bicep to provoke me while escorting me to cage exercise yard.

Reminder: Please attach all documents in your possession that support your claim(s).

Please note that this form and supporting documents will not be returned to you.

Claimant Signature: Date Signed: 8/26/22

DISTRIBUTION

Original: Offender's File

Copies: DAI, DAPO, and Offender

STATE OF CALIFORNIA
GRIEVANCE
 CDCR 602-1 (03/20)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Page 1 of 2

STAFF USE ONLYGrievance #: 298147

Date Received: _____

Date Due: _____

Categories: _____

This is the process to ask for help with a complaint.

Claimant Name: Delwayne Thompson CDCR #: T12115 Current Housing/Parole Unit: 3A03 202
 Institution/Facility/Parole Region: LSP-CosCoran

In order for the Department to understand your complaint, make sure you have answered the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- Are there documents that would be helpful to support your position? List the documents if you do not have them. Please note that documents submitted with this form will not be returned.
- What specific action would resolve your complaint?

PREA and unnecessary Force Allegations

On August 26, 2022, approximately 8:35 AM to 11 AM officers J. Rocha and A. Lopez, 3A03, EOP Hub Ad-Seq retaliated against me by exaggerating safety and security to conduct a punitive cell search for my grieving about yard deprivation. Hence, officers took adverse action against me after I informed them of me filing grievance and lawsuit about them for yard deprivation in the midst of being treated for chest pains then evaluated for suicidal ideations. For being denied exercise yard, due to being precluded for not being one of the first 20 inmates, the capacity for walk alone yard, to sign up. Yard is only run Monday, Wednesday, and Friday, one time from 9:30 AM to 12:30 AM. No make up. Therefore, it being a Friday and me getting no yard, which meant I would be confined to my cell until Monday, I began thinking of self harm. And I began having a panic attack that was giving me chest pains. Therefore, while I was being treated by medical I was venting and apprising officials of filing civil action and grievances about frequent exercise yard deprivation. In response while I was in holding cage awaiting to be evaluated for suicidal ideations, officer Lopez and J. Rocha apprised me of searching my cell and writing me up for razors. Lopez gave razor during showers. Upon taking inventory of items in my cell that Lopez and Rocha vandalized, I noticed he threw my breakfast and lunch they provided me in cell feeding that I had yet ate 2.) Legal

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To Appeal Coordinator

cases and civil complaint I was working on to file in U.S. Eastern District Court regarding yard deprivation (among other things), then they failed to report on cell search receipt. 3.) Coaxial cable to my TV, preventing me from watching TV. 4.) Personal and state soap and 4.) razors that Lopez gave me but took and wrote me up for contraband. Cell search was for no other reason but punitive measures and not further correctional goal. Moreso, upon Sgt hearing my complaint, he arranged for me to access the Walk alone yard. Rocha woundered up strip searching me in my cell, in the midst of which of him grabbing my boxers. he grabbed my genitals through food port. Then he degraded me under pretenses of safety and security by making me spread my butt cheeks as he did a visual cavity search in an offensive manner. Then while escorting me to yard he use unnecessary force by squeezing my bicep to get a hostile response from me, as I was tormenting him about cavity search that touched home to Lopez and Rocha. I reported this PRAA and staff misconduct for use of unnecessary force to ISU Sergeant Barros at about 1PM on August 26, 2022. DA was officer Rocha and Lopez let me know they searched my cell for complaint of yard and claiming to be suicidal. And my breakfast and lunch was the only food I had in cell, leaving me hungry until dinner. And I was never provided radio since I could not watch my TV due to officers taking my coaxial cable. Moreso, Lopez stated that he should write me up for having pills in my cell to get me admitted to crisis bed. pills were Tylenol.

Reminder: Please attach all documents in your possession that support your claim(s).
 Please note that this form and supporting documents will not be returned to you.

Claimant Signature:



Date Signed:

8/26/22

DISTRIBUTION Original: Offender's File Copies: DAI, DAPO, and Offender

Appendix L

Grievance Punitive cell search
on September 2, 2022 by unknown
officer, inferring Rocha who had
radio confiscated from Plaintiff's
cell where state razor was planted

3 Pages



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

OFFICE OF GRIEVANCES DECISION

Offender Name: THOMPSON, DEWAYNE RAMON

Date: 11/05/2022

CDC#: T12115

Current Location: COR-Facility 03A

Current Area/Bed: 03A003 2 - 242001L

Log #: 000000301597

Claim #: 001

Received at Institution/Parole Region: California State Prison, Corcoran

Submitted to Facility/Parole District: COR-Facility 03A

Housing Area/Parole Unit:

Category: General Employee Performance

Sub-Category: Other Staff Misconduct - NOS

The California Department of Corrections and Rehabilitation received your grievance on 09/06/2022 which you submitted on 09/02/2022.

Pursuant to the California Code of Regulations, title 15, your claim has been identified as an allegation of staff misconduct, meaning it will be referred outside the grievance and appeal process to an appropriate authority within the Department for the purpose of gathering facts needed to prove or disprove the allegation. A separate response will be provided to you at the conclusion of that process. This decision exhausts all administrative remedies available to you for this claim.

Decision: Allegation of Staff Misconduct

Claim #: 002

Received at Institution/Parole Region: California State Prison, Corcoran

Submitted to Facility/Parole District: COR-Facility 03A

Housing Area/Parole Unit:

Category: Offender Services

Sub-Category: Other Services - NOS

I. CLAIM

You contended that you had yet to receive title 15 regulations and operation Manual in AD-SEG.

II. RULES AND REFERENCES

A. CONTROLLING AUTHORITY

- 1.) Your CDCR 602 Inmate/Parolee Appeal and attachments

B. DOCUMENTS CONSIDERED

- 1.) CDCR 602 Inmate/Parolee Appeal

III. REASONING AND DECISION

This grievance has been Approved. The appeal is granted; upon your request, the building staff will provide you with the Title 15 regulations and Operation Manual.

IV. REMEDY

A Title 15 Regulations and Operation Manual will be issued to you, upon your request to building staff.

V. Comments

n/a

Decision: Granted

After a thorough review of all the documents and evidence presented to the Office of Grievances, it is the order of the Office of Grievances to GRANT this claim.

If you are dissatisfied with this response you may appeal this decision by mailing the CDCR Form 602-2 included in this response to the California Department of Corrections and Rehabilitation, Office of Appeals. Do not resubmit this claim to the Office of Grievances.

If more than 30 calendar days have passed since this decision was sent to you and the remedy, if any, has not yet been implemented, you may file a CDCR Form 602-3, Request to Implement Administrative Remedy. You must wait until after 30 calendar days have passed to submit this request.

Staff Signature	Title	Date/Time
B. McKinney [MCBA001]	Reviewing Authority	11/04/2022

Claim #: 003

Received at Institution/Parole Region: California State Prison, Corcoran

Submitted to Facility/Parole District: COR-Facility 03A

Housing Area/Parole Unit:

Category: Offender Resources

Sub-Category: Law Library

I. CLAIM

You inmate Thompson content you do not have physical access to the law library.

II. RULES AND REFERENCES

A. CONTROLLING AUTHORITY

California Code of Regulation (CCR), Title 15, section 3123 (Access to Law Libraries)

California Code of Regulation (CCR), Title 15, section 3122 (Inmate Law Library)

B. DOCUMENTS CONSIDERED

Inmate Grievance Log# 301597

Staff interview.

III. REASONING AND DECISION

An inquiry into your grievance has been conducted.

Based on the information gathered, it was determined you have been getting access to the Law Library. Signs up occur in the building with the 3A03 Legal Officer. Housing Unit 3A03 has physical law library which you can to and/or have been getting access to.

Therefore based on the aforementioned your grievance is Denied.

IV. Comments

Decision: Denied

After a thorough review of all the documents and evidence presented to the Office of Grievances, it is the order of the Office of Grievances to DENY this claim.

If you are dissatisfied with this response you may appeal this decision by mailing the CDCR Form 602-2 included in this response to the California Department of Corrections and Rehabilitation, Office of Appeals. Do not resubmit this claim to the Office of Grievances.

Staff Signature	Title	Date/Time
E. Silva [SIED001]	Reviewing Authority	11/02/2022

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

GRIEVANCE

CDCR 602-1 (03/20)

Page 1 of 2
SEP - 6 2022

STAFF USE ONLY

Grievance #: 301597

Date Received:

Date Due:

Categories:

This is the process to ask for help with a complaint.

Claimant Name: Thompson, Dwayne CDCR #: T12115 Current Housing/Parole Unit: 3A03-202

Institution/Facility/Parole Region: CSP - Corcoran

In order for the Department to understand your complaint, make sure you have answered the following questions:

- What is the nature of your complaint? **Staff Misconduct**
- When and where did the complaint occur? **Planting Weapon**
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- Are there documents that would be helpful to support your position? List the documents if you do not have them. Please note that documents submitted with this form will not be returned.
- What specific action would resolve your complaint?

On September 2, 2022, officer Rocha I assume entered my cell and for I saw the radio in his hand that he had confiscated was confiscated from my cell an unknown officer entered my cell between 9AM and 12:30PM and planted a razor on me. I believe the officer is J. Rocha, who I saw with radio confiscated from my cell. And who just charged me with deadly weapon for confiscating state unmodified razor from my cell. No officer has confessed to searching my cell or have left me with cell receipt for confiscating radio from my cell. Video footage between 9AM and 12:30PM will show the officer who entered my cell and planted razor on me. I turned razor over to Sergeant Garcia 3rd Watch, 3A03 at about 5:30PM on September 2, 2022. Officers responsible are either A. Lopez, J. Rocha, X. Xiong. I brought this to Sgt. Olivas attention who just brushed it off about cell search receipt and officer accountable for entering my cell. The conscious of guilt comes from officers failing to confess. I asked every officer, including Rocha and Lopez on camera about 10:00PM to 1:40PM did they enter my cell and they denied it.

DISTRIBUTION

Original: Offender's File

Copies: DAI, DAPO, and Offender

SEP - 6 2022 Page 1 of 2

STAFF USE ONLY

Grievance #: 301597

Date Received:

Date Due:

Categories:

This is the process to ask for help with a complaint.Claimant Name: Delwayne Thompson CDCR #: T12115 Current Housing/Parole Unit: 2 A03-202

Institution/Facility/Parole Region: _____

In order for the Department to understand your complaint, make sure you have answered the following questions:

- What is the nature of your complaint? Staff misconduct, harassment
- When and where did the complaint occur? via Punitive cell search
- Who was involved? Deprivation of Regulations
- Which specific people can support your complaint? and Discrimination
- Did you try to informally resolve the complaint? claim 1
- What rule or policy are you relying on to make your complaint? claim 1
- Are there documents that would be helpful to support your position? List the documents if you do not have them. Please note that documents submitted with this form will not be returned.
- What specific action would resolve your complaint? claim 1

On September 2, 2022, between 9 AM to 12:30 AM officer Rocha searched my cell again to harass and took my radio without leaving me a receipt. I observed radio in Rocha's hand. And I asked him and told Sergeant Olivas about the matter around 1:20 PM at Sgt's office. He told me he would provide me with receipt. But he never did. Supervisors are allowing inferior officers to do what they desire with no repercussions.

claim 2

I've never been provided with rules for Ad-Seg besides a Title 15 and Operation Manual on Kiosk. The operation procedures that advises me that I'm unable to store state razors in my cell was never provided to me. It's held hostage in Sergeant's office. How am I to know rules if they are withheld, despite me requesting for them from Law Library via Paging System for I have no physical access to Law Library. And Librarian don't respond. Now I've been charged with having a razor as a weapon for it being in my cell in Ad-Seg. But I didn't know that I could not have.

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CDCR 602-1 (03/20)

Page 2 of 2

TO APPEAL
COORDINATOR

Claim 3

officers are discriminating against Blacks and SAOs. Me for being Black. Rocha and Lopez are only searching Black inmates cells and writing them up for contraband. But on September 2, 2022 around 9AM Lopez saw an Hispanic knock out his cell front window and did nothing. Lt Flores saw the broken window and did nothing. All of second and 3rd watch saw the broken window to the Hispanic cell and just laughed. But they Rocha and Lopez wrote me up for having state razors in my cell unmodified that I thought was lawful. Rocha and Lopez wrote me up but did not write up Hispanics or search his cell. Hispanics admitted on camera of breaking glass to Lt Flores SAO on September 2, 2022, at about 12:30PM to 1PM on camera and Flores did nothing. But he approved lock up order for me and refused to enforce Rocha to provide me with cell search receipt. Claim 1, herein.

Reminder: Please attach all documents in your possession that support your claim(s).

Please note that this form and supporting documents will not be returned to you.

Claimant Signature: _____

Date Signed: _____

9/2/22

DISTRIBUTION

Original: Offender's File

Copies: DAI, DAPO, and Offender

3

JTS

Appendix m

Discrimination by officers Lopez and Rocha

2 Pages

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STAFF USE ONLY	Grievance #: <u>308058</u>	Date Received: _____
	Date Due: _____	
	Categories: _____	

This is the process to ask for help with a complaint.

Claimant Name: Dewon Thompson CDCR #: T12118 Current Housing/Parole Unit: 3A03-202
Institution/Facility/Parole Region: CSP-Corcoran

In order for the Department to understand your complaint, make sure you have answered the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- Are there documents that would be helpful to support your position? List the documents if you do not have them. Please note that documents submitted with this form will not be returned.
- What specific action would resolve your complaint?

In 3A03 EOP Hub officers are showing preferential treatment to (these believed informants) Flores and Dominguez (3A03-202) who they know, foremost A. Lopez and J. Rocha among officers of Hispanic inmates Flores and Dominguez in cell 201 having a manufactured knife and/or state razors, which Dominguez obtain during shower time, in their cell. I've let officers Rocha and Lopez know of inmate having dangerous contraband since they search Blacks cell and write them up for contraband as they've done to me, well as officer know by the inmates making suggestions by banging on their door with metal object and it apparently sounding like metal to metal. And banging on their cell front window with metal object, which caused cell front window to shatter; on September 2, 2022 around 9AM to 12PM officers A. Lopez and J. Rocha witnessed and saw shattered window and did nothing but laugh (see body camera and A-section 3A03 camera). No disciplinary actions were initiated. Lt Flores also saw shattered cell front window about 1PM and did nothing, despite Flores admitting to breaking glass on Lt Flores body camera. Then on September 11, 2022 around 8:30PM to 8:50PM officer Garcia, 3rd watch upper A-section witnessed cell 201 banging on his cell window and door with apparent metal dangerous contraband, which could be

STATE OF CALIFORNIA

GRIEVANCE

CDCR 602-1 (03/20)

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heard on body camera, and took no disciplinary action towards them. Officials are showing Hispanic inmates preferential treatment in a discriminative manner. And they need to shake down the cell as they did mine in alleged cell search, which are being conducted on Black's cells by officials Lopez and Rocha, foremost among the majority of Hispanic officers in BACB 2nd and 3rd watch.

Morales, Flores and Dominguez are known drug users. They buy other inmates narcotics - Saboxten, etc. Officials pass a lot for these inmates without checking material they're passing, which could be drugs or deadly contraband.

Reminder: Please attach all documents in your possession that support your claim(s).

Please note that this form and supporting documents will not be returned to you.

Claimant Signature: _____

Date Signed: _____

9/21/22

DISTRIBUTION

Original: Offender's File

Copies: DAI, DAPO, and Offender.

2

Appendix N

Deliberate Indifference ~~by Sgt. Garcia~~
Arising from Defendant's Addison's falsified RVR
of Plaintiff IEXing her that identified him as sex offender

2 Pages

STATE OF CALIFORNIA
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STAFF USE ONLY	Grievance #: <u>308401</u>	Date Received: <u>SEP 23 2022</u>
	Date Due: _____	
	Categories: _____	

This is the process to ask for help with a complaint.

Claimant Name: Dewayne Thompson CDCR #: T12115 Current Housing/Parole Unit: 3A03-202
Institution/Facility/Parole Region: CSP-Corcoran

In order for the Department to understand your complaint, make sure you have answered the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- Are there documents that would be helpful to support your position? List the documents if you do not have them. Please note that documents submitted with this form will not be returned.
- What specific action would resolve your complaint?

On September 21, 2022, at approximately 5:45 PM-6 PM I informed Sgt Garcia, among several officers 3rd Watch in 3A03, EOP/Hub of inmates Dominguez and Florez, who are my neighbors in cell 3A03 2A1 having a manufactured knife and state issued razors that Dominguez acquire during showers in their cell. I let them, Sgt. Garcia, know I know they have a knife because I hear them manufacture it by sharpening it, and I can hear them shaving with state razor, as they bang their sink to remove hair from blade. Moreover, I let Sgt Garcia and several officer, including Rocha know of my allegations and of Rocha, Lopez, among several officers passing for these inmates known contraband and prescribed Saboxton medication and other narcotics. Sgt. Garcia disregarded my allegations. Rather than taking precautionary measures to assure inmates did not have contraband through a cursory cell search as officials Rocha and Lopez does Blacks cells, Dominguez and Florez informed me when I returned back to my cell that Sgt Garcia and Rocha, among several officers, who they brag work for them, informed them that I was snitching on them. At the same time I heard them sharpening their knife and saying they were set me during showers for being a snitch and sex offender. On September 22, 2022, approximately 12:50 PM

STATE OF CALIFORNIA

GRIEVANCE

CDCR 602-1 (03/20)

Page 2 of 2

to 1:30pm) Sgt. Garcia derelict demonstrates his incompetence to preserve safety and security, well as Rocha, who feels a need to protect safety and security when discriminating against African Americans to conduct punitive cell searches to be vindictive. When he among the several, predominant Hispanic officers in 3A03, know that the real threat are the Hispanics who have genuine weapons (deadly) in their cells in Ad-seg, well as prescribed narcotics and unauthorized prescribed narcotics, illegal drugs, and Pruno. (cells 3A03 201 and 224 are known Hispanic cells with deadly weapons and unauthorized prescribed drugs, etc.).

Reminder: Please attach all documents in your possession that support your claim(s).

Please note that this form and supporting documents will not be returned to you.

Claimant Signature: Date Signed: 9/22/22

DISTRIBUTION

Original: Offender's File Copies: DAI, DAPO, and Offender

2

Appendix ~~D~~ P

Grievance for Lopez misconduct in Disciplinary
Hearing, depriving Plaintiff of Liberty Interest
Due Process.

2 Pages



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

CLAIMANT GRIEVANCE RECEIPT ACKNOWLEDGMENT

Offender Name: THOMPSON, DEWAYNE R.

CDC#: T12115

Date: 08/08/2022

Current Location: COR-Facility 03A

Current Area/Bed: 03A003 1141001L

From: Office of Grievances at California State Prison, Corcoran

Re: Log # 000000289813

The California Department of Corrections and Rehabilitation Office of Grievances at California State Prison, Corcoran received your grievance on 08/08/2022. Your grievance has been assigned for review and response.

Pursuant to California Code of Regulations, title 15, the Office of Grievances will complete its review no later than 10/08/2022.

Please be informed that the Office of Grievances will not respond to any inquiries about the status of a grievance prior to the date shown above.

CDCR SOMS OGTT300
CLAIMANT GRIEVANCE RECEIPT ACKNOWLEDGMENT



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

OFFICE OF GRIEVANCES DECISION

Offender Name: THOMPSON, DEWAYNE RAMON

Date: 08/18/2022

CDC#: T12115

Current Location: COR-Central Service

Current Area/Bed: S INFC1 - 011001L

3A03-2022

Log #: 000000289813

Claim #: 001

Received at Institution/Parole Region: California State Prison, Corcoran

Submitted to Facility/Parole District: COR-Facility 03A

Housing Area/Parole Unit:

Category: General Employee Performance

Sub-Category: Other Staff Misconduct - NOS

The California Department of Corrections and Rehabilitation received your grievance on 08/08/2022 which you submitted on 08/05/2022.

Pursuant to the California Code of Regulations, title 15, your claim has been identified as an allegation of staff misconduct, meaning it will be referred outside the grievance and appeal process to an appropriate authority within the Department for the purpose of gathering facts needed to prove or disprove the allegation. A separate response will be provided to you at the conclusion of that process. This decision exhausts all administrative remedies available to you for this claim.

Decision: Allegation of Staff Misconduct

STAFF USE ONLY

Grievance #

289813

Date Received:

Date Due:

Categories:

*This is the process to ask for help with a complaint.*Claimant Name: Dewayne ThompsonCDCR #: 112115Current Housing/Parole Unit: 3A03-141Institution/Facility/Parole Region: CSP-COR

In order for the Department to understand your complaint, make sure you have answered the following questions:

- What is the nature of your complaint? Staff misconduct
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- Are there documents that would be helpful to support your position? List the documents if you do not have them. Please note that documents submitted with this form will not be returned.
- What specific action would resolve your complaint?

On August 5, 2022, I have officer Lopez, 3A03, 2nd watch telling an overt lie on camera. Well as Investigative Employee Barajas. On day in question I appeared for my RVR. I never had any acknowledgment that Lopez was my staff assistant until hearing commence because before then he lied to me that he was not (see video footage on 8/5/2022) at about 10AM. But during hearing him and Barajas swore that I met him and Lopez helped me prepare for my hearing. When Lopez did not official misconduct violates Title 1585391(a) Lopez deception to state deprived me of official ethical conduct that I am entitled to and his overt lie needs to be addressed. (see video footage 8/5/22 (10AM to 10:30AM, 11:40AM to 12:30AM)).

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DEPARTMENT OF CORRECTIONS AND REHABILITATION

GRIEVANCE

CDCR 602-1 (03/20)

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~~intoxicated and was placed on the apartment window a day prior~~

Reminder: Please attach all documents in your possession that support your claim(s).

Please note that this form and supporting documents will not be returned to you.

Claimant Signature: Date Signed: 8/5/22

DISTRIBUTION

Original: Offender's File

Copies: DAI, DAPO, and Offender

Appendix Q

Grievance: RVR Rehearing Granted for Defendant
LOPEZ Misconduct in Disciplinary hearing

4 Pages



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

CLAIMANT GRIEVANCE RECEIPT ACKNOWLEDGMENT

Offender Name: THOMPSON, DEWAYNE R.

CDC#: T12115

Date: 08/08/2022

Current Location: COR-Facility 03A

Current Area/Bed: 03A003 1141001L

From: Office of Grievances at California State Prison, Corcoran

Re: Log # 000000290013

The California Department of Corrections and Rehabilitation Office of Grievances at California State Prison, Corcoran received your grievance on 08/08/2022. Your grievance has been assigned for review and response.

Pursuant to California Code of Regulations, title 15, the Office of Grievances will complete its review no later than 10/08/2022.

Please be informed that the Office of Grievances will not respond to any inquiries about the status of a grievance prior to the date shown above.

CDCR SOMS OGTT300
CLAIMANT GRIEVANCE RECEIPT ACKNOWLEDGMENT



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

OFFICE OF GRIEVANCES DECISION

Offender Name: THOMPSON, DEWAYNE RAMON

Date: 09/15/2022

CDC#: T12115

Current Location: COR-Facility 03A

Current Area/Bed: 03A003 2 - 202001L

Log #: 000000290013

Claim #: 001

Received at Institution/Parole Region: California State Prison, Corcoran

Submitted to Facility/Parole District: COR-Facility 03A

Housing Area/Parole Unit:

Category: Offender Discipline

Sub-Category: Serious Rules Violation Report

I. CLAIM

Claimant is contesting Rules Violation Report (RVR) Log# 7199427- Indecent Exposure without Prior Convictions for PC 314. Claimant alleges their due process was violated, claimant alleges they never met with their Staff Assistant (SA) 24hrs prior to hearing and alleges they were denied a witness.

II. RULES AND REFERENCES

A. CONTROLLING AUTHORITY

- Title 15

B. DOCUMENTS CONSIDERED

- Inmate Grievance.
- The aforementioned controlling authority.
- RVR dated 6/30/2022

III. REASONING AND DECISION

During the Grievance fact gathering process, it was discovered all requested witnesses were interviewed and documented within the hearing process. However, it was also discovered Correctional Officer A. Lopez was assigned as Claimant's SA and met with claimant before hearing but did not meet 24 hours prior to hearing. The aforementioned is a RVR due process violation and was forwarded to the appropriate Administrator for further action.

IV. REMEDY

On September 13, 2022, CDO J. Bugarin ordered Re-issue, Re-heard of Rules Violation Report (RVR) Log# 7199427- Indecent Exposure without Prior Convictions for PC 314, based on Due process violation as Staff Assistant did not meet with inmate 24 hours prior to hearing.

V. Comments

Decision: Granted

After a thorough review of all the documents and evidence presented to the Office of Grievances, it is the order of the Office of Grievances to GRANT this

claim.

If you are dissatisfied with this response you may appeal this decision by mailing the CDCR Form 602-2 included in this response to the California Department of Corrections and Rehabilitation, Office of Appeals. Do not resubmit this claim to the Office of Grievances.

If more than 30 calendar days have passed since this decision was sent to you and the remedy, if any, has not yet been implemented, you may file a CDCR Form 602-3, Request to Implement Administrative Remedy. You must wait until after 30 calendar days have passed to submit this request.

Staff Signature	Title	Date/Time
T. Campbell [CATA003]	Reviewing Authority	09/14/2022

STATE OF CALIFORNIA

GRIEVANCE

CDCR 602-1 (03/20)

40 Page 1 of 2

STAFF USE ONLY

Grievance #: 29 0013

Date Received:

Date Due:

Categories:

*This is the process to ask for help with a complaint.*Claimant Name: Dewayne Thompson CDCR #: T 12115 Current Housing/Parole Unit: 3A03-141Institution/Facility/Parole Region: LSP-COR

In order for the Department to understand your complaint, make sure you have answered the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- Are there documents that would be helpful to support your position? List the documents if you do not have them. Please note that documents submitted with this form will not be returned.
- What specific action would resolve your complaint?

Disciplinary Hearing

(Log no. 00000007199427)

On August 5, 2022, at approximately 11:30 AM to 12:30 PM I appeared for my RVR (log no. 07199427) arbitrarily conducted by Lieutenant D. B. Hernandez for indecent exposure. I was denied a fair hearing and due process for 1.) I never met with my staff assistant 24 hours to hearing. I did not discover officer Lopez, 2nd watch 3A03, was my staff assistant until hearing commence before then he denied being my staff assistant. I see video footage at approximately 10 AM on 8/5/22 I brought this to staff attention but he only ignored matter. 2.) My key witness Alafisco, 2nd watch CNA at HRC, was callously denied who witnessed event and would have attested I was not masturbating or exposing myself upon Addison arriving at my cell as she alleges in supplemental reports and her answers to question at hearing. 3.) I was denied video footage that would have contradicted reporting employees allegations of me exposing myself to her for video footage would show that the CNA Alafisco, who was assigned to sit in front of my cell front for 101 in Crisis bed was present upon Addison looking into my cell with direct view and she would have attested that I was not exposing myself and that I had paper and a placard covering my window. See RVR Supplement 2. Hence, placard was on appellant cell front window.

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

GRIEVANCE

CDCR 602-1 (03/20)

Page 2 of 2

unlawfully but he condoned for Privacy and courtesy for Public while he worked out and bird bathed in cell. 4) I was denied an impartial hearing officer who was not accepting the exculpatory evidence in RVR Supplement. Such as Addison alleging to have direct view into my cell. That I had no window cover or placard up see RVR Supplement GCA no. 1 by Addison. But in her RVR she states she looked over my placard and window cover and observed me exposing myself. b) She answered question at hearing that she did not recall if I covered myself. But in her RVR she alleges I never covered myself. 3) She alleges that I exposed myself upon her arriving at my cell front with a direct view. But in RVR she stated she observed me exposing myself after peering over placard and window cover. Reporting employee Addison made many contradicting statements to her RVR that hearing officer did not document. And he resorted to correct her by utilizing her RVR of what she intended to say. I adamantly proclaim that I did not commit rule violation. And I insist RVR by Addison is out of retaliation for me writing Addison up for invasion of privacy and misconduct that occurred a day prior, on June 29, 2022. 5) The hearing officer was not letting me speak by not being receptive to my accounts of events as he went in with a bias attitude and incentive to find me guilty. Therefore, I demand reissue and rehearing. So to call my witness CNA Alapisco to attest I was not exposing myself to Addison upon her arriving at my cell front as she alleges.

Reminder: Please attach all documents in your possession that support your claim(s).

Please note that this form and supporting documents will not be returned to you.

Claimant Signature: 

Date Signed: 8/5/22

DISTRIBUTION

Original: Offender's File

Copies: DAI, DAPO, and Offender

4.

EXHIBIT COVER PAGE

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EXHIBIT

Isaiah Springs Declaration

Description of this Exhibit:

Number of pages to this Exhibit: 1 pages.

JURISDICTION: (Check only one)

- | | |
|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Municipal Court |
| <input type="checkbox"/> | Superior Court |
| <input type="checkbox"/> | Appellate Court |
| <input type="checkbox"/> | State Supreme Court |
| <input checked="" type="checkbox"/> | United States District Court |
| <input type="checkbox"/> | State Circuit Court |
| <input type="checkbox"/> | United States Supreme Court |
| <input type="checkbox"/> | Grand Jury |



CALIFORNIA DEPARTMENT of
Corrections and Rehabilitation

OFFICE OF APPEALS DECISION

Offender Name: THOMPSON, DEWAYNE RAMON

Date: 01/31/2023

CDC#: T12115

Current Location: SAC-Facility B

Current Area/Bed: B 005 1 - 016001L

Log #: 000000325609

Claim # 001

Received at Institution/Parole Region: California State Prison, Corcoran

Submitted to Facility/Parole District: COR-Facility 03A

Housing Area/Parole Unit:

Grievance Claim Category: Offender Services

Grievance Claim Sub-Category: Allegation against Inmate/Parolee

Appeal Claim Category: Offender Services

Appeal Claim Sub-Category: Other Services - NOS

I. ISSUE ON APPEAL

You contend that your submitted grievance was incorrectly redirected by departmental staff.

II. RULES AND REFERENCES

A. CONTROLLING AUTHORITY

Title 15, sections 3001, 3481(a) and 3483(g)(4)(G)

B. DOCUMENTS CONSIDERED

Form 602-1 Log #325609 and attachments; Form 602-2 Log #325609 and attachments

III. REASONING AND DECISION

Departmental regulations require that the Grievance Coordinator shall ensure that claims meeting certain criteria are redirected to the appropriate authority. In the noted claim, appellant submitted a claim against the actions of another inmate. In accordance with Title 15, section 3483(g)(4)(G), an allegation against an inmate or parolee shall be redirected to a staff member designated by the Hiring Authority for a response. In that the grievance was properly redirected to provide appellant a response, the claim is denied.

IV. REMEDY

Your claim has been denied. Therefore, there is no applicable remedy.

Decision: Denied

After a thorough review of all documents and evidence available at the time of this written decision, it is the order of the Office of Appeals that this claim is denied. This decision exhausts the administrative remedies available to the claimant within CDCR.

Staff Signature	Title	Date/Time
C. Rojas [ROCY016]	Reviewing Authority	01/30/2023

STAFF USE ONLY	OGT Log No: <u>325609</u>	Date Received: _____
	Decision Due Date: _____	
	Categories: _____	

Claimant Name: Thompson DewayneCDCR #: T12115Institution/Parole Region: CSP-CorcoranCurrent Housing/Parole Unit: 3A03-242

STAFF USE ONLY

Use this form to file a complaint with the Department.

In order for the Department to understand your complaint, please answer all of the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- What specific action would resolve your complaint?

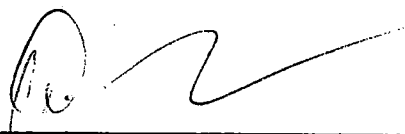
Hazardous living Conditions. Deliberate
Indifferences



NOTE: Attach documents that help support your complaint (identify the documents if you do not have them).

On November, 3, 2022, approximately ~~6 PM~~ 5:20-5:30 PM 3A03, 3rd watch officials ~~Breno~~ M. Bueng, _____, Placed the shower cleaner Alberto Cardero, cell 249, in shower to clean it; however, he began flooding the tier with urine that began to run-off in my cell as he tormented me, calling me sex offender. Officials are aware of Cardero hazardous conduct subjecting me to hazardous living conditions. And their continuing to allow Cardero cell 249 expose me to hazardous living conditions will amount to deliberate indifference. I've brought this to Sgt Garcia's attention, well as aforementioned officials, through M. Bueno and Patrick

Claimant Signature: _____



Date Signed: _____

11/3/22

STATE OF CALIFORNIA
APPEAL OF GRIEVANCE
 CDCR 602-2 (Rev. 01/22)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Page 1 of 2

STAFF USE ONLY	OGT Log No: 000000325609	Date Received: _____
	Decision Due Date: _____	
	Categories: _____	

Claimant Name: THOMPSON, DEWAYNE RAMON **CDCR #:** T12115

Institution/Parole Region: CSP-CORCORAN **Current Housing/Parole Unit:** 3A03-242

OOA Review
 Imminent Risk: Y N
 OOG Notification: Y N
 Initials: AMX Date: 11/15/22

STAFF USE ONLY

DEC 06 2022

Use this form to appeal a decision or a remedy by the Office of Grievances.

Do not include new complaints on this form, they must first be filed with the Office of Grievances on a Form 602-1.

OGT Log No: 000000325609 **Claim No:** 1

Explain the reason for your appeal. Be as specific as you can.

I am dissatisfied with the response I was given because Inmate out to harm me for Yellow Placard
identifying me as sex offender and official informing inmate population of me
being a snitch.

This form shall be submitted by mail to:
 Office of Appeals
 Department of Corrections and Rehabilitation
 P.O. Box 942883
 Sacramento, CA 95811

IMPORTANT:

The Office of Appeals will consider all of the supporting documentation you previously submitted to the Office of Grievances when reviewing your appeal, but will not consider any new documentation.

Therefore, it is recommended you not attach any documentation to this form.

Furthermore, any documentation you attach to this form will not be returned to you.

Claimant Signature: [Signature]

Date Signed: 11/29/22

ADA Accessible

Declaration of Isiah Springs

I, Isiah Springs, BN4059, duly declare that I am over the age of 18 and not a party in this case. At all times mentioned in this declaration, I was an inmate at CSP-Corcoran, 3A03, Cell 243. And I was housed next door to inmate Thompson, T12115, who was in cell 242, 3A03.

I duly declare to witnessing as follows

~~I~~ ~~duly~~ on November 3, 2022, about 5:20 PM, I observed an officer Put, who I believe name is, Alberto Cardero, cell 249, whose previous cell was 224, in the upper C-section shower in 3A03 to perform his shower cleaning duties for being a shower cleaner.

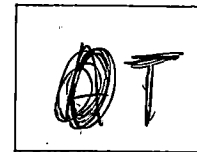
While in the shower, Cardero began flooding the tier with water and urine, upper C-section, towards Thompson's cell without a doubt to expose Thompson to the bio waste, which ran off into my cell.

As Cardero flooded the tier with his urine, I could hear him tormenting Thompson by calling him sex offender and snitch for Thompson having yellow placard on his cell window. And he can't wait to stick his knife into Thompson.

I, Isiah Springs, duly declare under penalty of perjury the foregoing are true and correct, and this declaration was executed on November 6/2022

By Isiah Springs
Isiah Springs, BN4059

EXHIBIT COVER PAGE



EXHIBIT

~~Exhibit A~~

~~Exhibit B~~

~~Exhibit C~~ Antonio Reyes Teter declaration

Description of this Exhibit:

Number of pages to this Exhibit: _____ pages.

JURISDICTION: (Check only one)

☐

Municipal Court

☐

Superior Court

☐

Appellate Court

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State Supreme Court

☐

United States District Court

☐

State Circuit Court

☐

United States Supreme Court

☐

Grand Jury

Declaration of Antonio Lopez Jeter BS0588

I ~~Antonio Lopez Jeter~~ duly declare that I was an inmate at all times mentioned herein at CSP-Corcoran, 8A03 cell 220, and I attest that I witnessed inmate Thompson, T12115, who was housed in 3A03, cell 202 persistently grieve and hunger strike about being deprived outside exercise. Therefore, on August 26, 2022, I witnessed inmate Thompson undergoing medical and mental health problems that officers Lopez and Rocha responded to due to yard officer denying him access to outdoors exercise. Resulting, while Thompson was being treated by medical and mental health, I witnessed officer Lopez and Rocha conduct, upon information and beliefs, a punitive cell search on Thompson's cell out of retaliation; they vandalized his cell and discarded a lot of his personal material out of his cell onto the floor. Furthermore, in addition, I attest that 8A03 officials issued shaving disposable razors during shower time. And they allowed inmates to take shaving razors to their cells to shave.

I ~~Antonio Lopez Jeter~~ duly declare under penalty of Perjury, Pursuant to 28 USC 1746 that the foregoing are true and correct to my knowledge besides those of my beliefs, which I believe to be true. And this declaration was executed on August 15, 2023

By 